

# **EXHIBIT 9**

Aubry McMahon  
February 24, 2023

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

\* \* \*

AUBRY McMAHON,	:	NO. 2:21-CV-00920
Plaintiff	:	
	:	
vs.	:	
	:	
WORLD VISION, INC.,	:	
Defendant	:	

\* \* \*

Zoom deposition of AUBRY McMAHON,  
beginning at 10:08 a.m. Eastern Time, on Friday,  
February 24, 2023, before Karen A. Stevens, Court  
Reporter and Notary Public, there being remotely  
present:

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<p style="text-align: right;">Page 2</p> <p>1        A P P E A R A N C E S :</p> <p>2</p> <p>3                CASEY WOLNOWSKI, ESQ.</p> <p>4                NISAR LAW GROUP, P.C.</p> <p>5                60 East 42nd Street, Suite 4600</p> <p>6                New York, New York 10165</p> <p>7                cwolnowski@nisarlaw.com</p> <p>8                -- Representing the Plaintiff</p> <p>9</p> <p>10               SCOTT J. WARD, ESQ.</p> <p>11               J. MATTHEW SZYMANSKI, ESQ.</p> <p>12               GAMMON &amp; GRANGE, P.C.</p> <p>13               1945 Old Gallows Road, #650</p> <p>14               Tysons, Virginia 22182</p> <p>15               sjw@gg-law.com</p> <p>16               jms@gg-law.com</p> <p>17               -- Representing the Defendant</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>ALSO PRESENT: Steve McFarland</p>	<p style="text-align: right;">Page 4</p> <p>1               * * *</p> <p>2               AUBRY McMAHON,</p> <p>3               after having been first duly sworn, was</p> <p>4               examined and testified as follows:</p> <p>5               * * *</p> <p>6               E X A M I N A T I O N</p> <p>7               * * *</p> <p>8        BY MR. WARD:</p> <p>9               Q     Thank you, Miss McMahon. Thank you for</p> <p>10              being here this morning. We really appreciate it.</p> <p>11              Nobody ever really wants to do a deposition, so we</p> <p>12              are grateful for your presence. Let me do a few</p> <p>13              preliminaries, if I may. First of all, let me ask,</p> <p>14              have you ever had your deposition taken before?</p> <p>15              A     No.</p> <p>16              Q     Have you ever sat in on or observed a</p> <p>17              deposition?</p> <p>18              A     No.</p> <p>19              Q     Let me hopefully explain a few points</p> <p>20              briefly and give you a chance to ask some questions.</p> <p>21              As you probably know, the basic format is I'll ask</p> <p>22              you questions and then you'll -- as the court</p> <p>23              reporter explained, you've sworn and are under oath</p> <p>24              to answer my question truthfully to the full extent</p> <p>25              of your knowledge.</p>
<p style="text-align: right;">Page 3</p> <p>1               (It is hereby stipulated by and</p> <p>2               among counsel for the respective</p> <p>3               parties that signing, sealing, filing and</p> <p>4               certification are waived; and that all</p> <p>5               objections, except as to the form of the</p> <p>6               questions, be reserved until the time of</p> <p>7               trial.)</p> <p>8               THE COURT REPORTER: The attorneys</p> <p>9               participating in this deposition acknowledge</p> <p>10              that I am not physically present in the</p> <p>11              deposition room and that I will be reporting</p> <p>12              this deposition remotely. They further</p> <p>13              acknowledge that, in lieu of an oath</p> <p>14              administered in person, the witness will</p> <p>15              declare her testimony is under the penalties of</p> <p>16              perjury.</p> <p>17              The parties and their counsel consent to</p> <p>18              this arrangement and waive any objections to</p> <p>19              this manner of reporting. Please indicate your</p> <p>20              agreement by stating your name and your</p> <p>21              agreement on the record.</p> <p>22              MR. WARD: Scott Ward. I agree.</p> <p>23              MR. WOLNOWSKI: Casey Wolnowski. I agree.</p> <p>24              MR. SZYMANSKI: Matthew Szymanski. I</p> <p>25              agree.</p>	<p style="text-align: right;">Page 5</p> <p>1               A     Okay.</p> <p>2               Q     If I ask you something and you don't hear</p> <p>3               or you don't understand my question, please feel</p> <p>4               free to ask me about it. But otherwise I'd say</p> <p>5               please answer the question as best you can.</p> <p>6               A     Uh-huh.</p> <p>7               Q     There may be moments where your counsel</p> <p>8               says an objection to one of my questions. He's</p> <p>9               preserving his objections for the record, but you</p> <p>10              should still go ahead and answer the question unless</p> <p>11              Mr. Wolnowski specifically tells you, "I instruct</p> <p>12              you not to answer." And I flag that. That's a</p> <p>13              little bit of an artificial process until you get</p> <p>14              used to it, but it actually works reasonably well.</p> <p>15              A     Okay.</p> <p>16              Q     You should feel free to take a break at</p> <p>17              any time, but we can't take a break while a question</p> <p>18              is pending. So you need to answer my questions and</p> <p>19              then take a break. And my approach is I don't want</p> <p>20              to exhaust you or wear you out, so if you need five</p> <p>21              minutes to take a rest stop or grab a quick drink,</p> <p>22              that's fine, just let me know.</p> <p>23              Let me flag something now for our</p> <p>24              court reporter's sake. There is a normal human</p> <p>25              tendency to answer questions with a head nod or an</p>

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<p style="text-align: right;">Page 6</p> <p>1 um-hum and it will make her life much easier if you</p> <p>2 say yes or no or audible words.</p> <p>3 A Okay.</p> <p>4 Q It will also help her if you could speak</p> <p>5 at a rate that she can capture. And my experience,</p> <p>6 court reporters are amazing at how much they can go.</p> <p>7 So that may not be an issue, but if at some point</p> <p>8 she says, please slow down, we'll slow down and make</p> <p>9 sure we are able to accommodate her.</p> <p>10 A Okay.</p> <p>11 Q Do you have any question about the</p> <p>12 process?</p> <p>13 A Nope.</p> <p>14 Q Very good. Let me ask you, then, a few</p> <p>15 questions that every lawyer asks. First of all, are</p> <p>16 you currently under the influence of any drugs,</p> <p>17 medications or controlled substances that could</p> <p>18 affect your ability to give true, complete, accurate</p> <p>19 and competent testimony today?</p> <p>20 A No, sir.</p> <p>21 Q Okay. Thank you. Is there any reason</p> <p>22 related to your mental health, psychological</p> <p>23 condition or emotional state that would affect your</p> <p>24 ability to give true, complete, accurate and</p> <p>25 competent testimony today?</p>	<p style="text-align: right;">Page 8</p> <p>1 that and we felt like it was a good easy last name.</p> <p>2 Because McMahon also no one can ever pronounce it or</p> <p>3 spell it. So it was just cut and dry and it was a</p> <p>4 name that we really liked and felt like, you know,</p> <p>5 described our relationship if you will. So we did</p> <p>6 just randomly choose that last name.</p> <p>7 But the process of changing the last</p> <p>8 name is we are going to have to, as far as I'm</p> <p>9 understanding, essentially get a whole new identity</p> <p>10 with Social Security Cards and things like that.</p> <p>11 And it's very expensive and we also want to make</p> <p>12 sure the time is right when we do it and all that</p> <p>13 stuff. So it's kind of confusing but we did -- that</p> <p>14 is the last name that we did change -- or did</p> <p>15 choose, I'm sorry. But we plan to change it. We</p> <p>16 just haven't now, because of COVID and then also</p> <p>17 just because life.</p> <p>18 Q Understandable. How would you prefer that</p> <p>19 I refer to you today; Ms. McMahon, Ms. Atwood what</p> <p>20 would you --</p> <p>21 A You can say McMahon, yeah, just so it's</p> <p>22 not confusing.</p> <p>23 Q That's helpful. Can you list for me first</p> <p>24 your full legal name and then any other names you've</p> <p>25 used at any time, just so we know what names are in</p>
<p style="text-align: right;">Page 7</p> <p>1 A No, sir.</p> <p>2 Q Then is there any other reason that you</p> <p>3 are not able to give true, complete, accurate and</p> <p>4 competent sworn testimony during your deposition</p> <p>5 today?</p> <p>6 A No, sir.</p> <p>7 Q Thank you. Just to start out, let me ask</p> <p>8 you a question. I've noticed that at times you've</p> <p>9 been referred to as Aubry McMahon and at times it's</p> <p>10 Aubry Atwood. Why is that?</p> <p>11 A So my legal last name is Aubry McMahon and</p> <p>12 when we got married it was during COVID when the</p> <p>13 Social Security office was closed. So we have not</p> <p>14 had the chance to legally switch our name, if that</p> <p>15 makes sense. So McMahon is what I put on all legal</p> <p>16 documents, work documents, things such as that. And</p> <p>17 then Atwood is what I use socially, if that makes</p> <p>18 any sense.</p> <p>19 Q That does. And where does Atwood come</p> <p>20 from?</p> <p>21 A So Atwood is actually a last name that my</p> <p>22 wife and I decided that we did not want either of</p> <p>23 our maiden last names, so Atwood, when you look up</p> <p>24 the definition it means dweller of the forest. And</p> <p>25 that's something that we love hiking and things like</p>	<p style="text-align: right;">Page 9</p> <p>1 play as it were?</p> <p>2 A Yep. So my full legal name is Aubry Diana</p> <p>3 McMahon. The only other name I would have used</p> <p>4 would be Aubry Diana Atwood. Those are the only two</p> <p>5 names if you will.</p> <p>6 Q Thank you. That makes sense. So we are</p> <p>7 now going to try our first upload of an Exhibit. So</p> <p>8 let me see if this works well.</p> <p>9 MR. WARD: I'm going to ask the court</p> <p>10 reporter to mark this as Exhibit 1 to your</p> <p>11 deposition.</p> <p>12 * * *</p> <p>13 (Whereupon, the above-mentioned</p> <p>14 document was marked for</p> <p>15 identification as Exhibit-1.)</p> <p>16 * * *</p> <p>17 THE WITNESS: Am I allowed to look at it?</p> <p>18 BY MR. WARD:</p> <p>19 Q You are, so feel free to open it. Before</p> <p>20 I start asking you questions about it I should cover</p> <p>21 one more area. Since we are doing this deposition</p> <p>22 remotely, I take it you are at home in North</p> <p>23 Carolina; is that right?</p> <p>24 A Yes.</p> <p>25 Q Is there anybody else present in the room</p>

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<p style="text-align: right;">Page 10</p> <p>1 with you?</p> <p>2 A There is not.</p> <p>3 Q Okay. Then one thing technologically,</p> <p>4 obviously you need access to your computer for Zoom,</p> <p>5 but I would need to have you let me know if there is</p> <p>6 any windows open or anything open on your computer</p> <p>7 or any other form of communication apart from your</p> <p>8 deposition. Are you agreeable to doing that, just</p> <p>9 keeping everything closed or letting me know if you</p> <p>10 are opening anything?</p> <p>11 A Yeah. I did just open the whatever that's</p> <p>12 called, the document you sent. I don't know if you</p> <p>13 heard, it made a ding noise, so that's what that</p> <p>14 was.</p> <p>15 Q Yes. Thank you. So I'm going to mark</p> <p>16 this as Exhibit 1 to your deposition, as we said.</p> <p>17 This is the Notice of Deposition that was served on</p> <p>18 your counsel. Have you seen this before?</p> <p>19 A Yes, sir.</p> <p>20 Q Do you understand that this is the legal</p> <p>21 document by which you're here to give your testimony</p> <p>22 today?</p> <p>23 A Yes.</p> <p>24 Q Thank you. I believe I asked you before</p> <p>25 and you've never participated in a deposition at any</p>	<p style="text-align: right;">Page 12</p> <p>1 A Yeah. It's about 30 minutes from uptown</p> <p>2 Charlotte. So it's a little suburbs.</p> <p>3 Q And how long have you resided at that</p> <p>4 address?</p> <p>5 A We moved here I believe in June or July of</p> <p>6 2020.</p> <p>7 Q Where did you live prior to living at this</p> <p>8 address?</p> <p>9 A Do you want the actual address of that</p> <p>10 place?</p> <p>11 Q That would be great.</p> <p>12 A It was 6045 Creft, C-R-E-F-T Circle, also</p> <p>13 Indian Trail, North Carolina, 28079.</p> <p>14 Q When you said we, I think, is that you and</p> <p>15 your wife lived at that address?</p> <p>16 A Yeah. Sorry, yeah.</p> <p>17 Q Thank you. So Miss McMahon, do you</p> <p>18 consider yourself religious?</p> <p>19 A I do.</p> <p>20 Q Could you please describe for me your</p> <p>21 religious faith?</p> <p>22 A Yep. So growing up I grew up in the</p> <p>23 Methodist Church. We are still actually part of the</p> <p>24 church that I grew up with. It kind of transitioned</p> <p>25 campuses, but we are still part of that. And so I</p>
<p style="text-align: right;">Page 11</p> <p>1 time before; is that right?</p> <p>2 A That's correct.</p> <p>3 Q Have you ever been involved in a lawsuit</p> <p>4 before?</p> <p>5 A No.</p> <p>6 Q Have you ever participated in any other</p> <p>7 type of legal proceeding?</p> <p>8 A No. The only thing would be the adoption,</p> <p>9 my wife adopting my daughter, legally our daughter.</p> <p>10 But it wasn't done in court. It was just done with</p> <p>11 a lawyer in her office. I don't know if that</p> <p>12 technically counts, but I know it's legal, so that</p> <p>13 was the only thing.</p> <p>14 Q With regard to the adoption, am I correct</p> <p>15 in understanding that you gave birth to your</p> <p>16 daughter but then the adoption was so that your wife</p> <p>17 could also be fully a parent as well?</p> <p>18 A Yes, sir.</p> <p>19 Q Thank you. Let me ask you some</p> <p>20 preliminary questions here. First, could you please</p> <p>21 give me your full current residence address?</p> <p>22 A 5008 West Street. That's Indian Trail,</p> <p>23 North Carolina, 28079.</p> <p>24 Q Thank you. Is Indian Trail just in the</p> <p>25 general Charlotte area?</p>	<p style="text-align: right;">Page 13</p> <p>1 grew up in that church. It's about a 45-minute</p> <p>2 drive, but they do virtual sermons and things like</p> <p>3 that. And then they also have a lot of community</p> <p>4 events that they do. So Halloween we went for a fun</p> <p>5 thing. Trunk or Treat, that's what it's called. We</p> <p>6 went to that for Halloween. So we always try to do</p> <p>7 not only just, you know, church every Sunday, but</p> <p>8 also get involved in other various ways with this</p> <p>9 church.</p> <p>10 I did go to Uganda, Africa on a</p> <p>11 mission trip with them back in I want to say it was</p> <p>12 2012 or 2013. But it was a mission trip to an</p> <p>13 orphanage and they were kind of actually taking the</p> <p>14 World Vision approach, if you will, to have people</p> <p>15 sponsor the orphans there and that would allow them</p> <p>16 to live in a house with they called them a house</p> <p>17 mom, but a mom and I believe eight other kids. So</p> <p>18 we did a lot of work with helping build those</p> <p>19 houses, but also growing and communicating with the</p> <p>20 kids, doing fellowship, worship and things like that</p> <p>21 while we were there, as well as at the time I was a</p> <p>22 certified nurse's assistant. So I did a lot of</p> <p>23 basic medical care that was needed alongside a nurse</p> <p>24 that was also on the trip.</p> <p>25 Q Sounds like an amazing experience. I</p>

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<p style="text-align: right;">Page 14</p> <p>1 probably will ask more about that in a few minutes.</p> <p>2 Would you describe yourself as a Methodist? Would</p> <p>3 that be your religious identification?</p> <p>4 A Yes, sir. I went to -- I attended Gardner</p> <p>5 Webb University for part of my undergraduate. I</p> <p>6 believe they are Baptist, but I still remained in</p> <p>7 the Methodist section if you will.</p> <p>8 Q Is it fair to say more broadly you would</p> <p>9 describe yourself as Christian in your religious</p> <p>10 faith?</p> <p>11 A Yes, sir.</p> <p>12 Q Can you tell me a little bit about what</p> <p>13 being a Christian entails for you? Sort of what's</p> <p>14 your two or three minute summary of what you believe</p> <p>15 as a person?</p> <p>16 A Yeah. So I think growing up you're</p> <p>17 obviously taught the basics, if you will, about</p> <p>18 God's story and all of that and, you know, kind of</p> <p>19 how to live as a giving human, someone that has</p> <p>20 empathy, helps others, you know, teaches the word of</p> <p>21 God in a sense of in your community and just</p> <p>22 exemplifies yourself as a Christian. The definition</p> <p>23 of Christianity is different for each person, I</p> <p>24 believe, and that's something that I believe you</p> <p>25 have to decide for yourself.</p>	<p style="text-align: right;">Page 16</p> <p>1 like with Christianity, they interpret it in</p> <p>2 different ways. So that's the gist of the word of</p> <p>3 God to me.</p> <p>4 Q Thank you. And the thing you just said a</p> <p>5 minute ago, I take it it's fair to say people do</p> <p>6 interpret the Bible in different ways is part of</p> <p>7 your belief?</p> <p>8 A Yes, sir.</p> <p>9 Q And is it fair to say sometimes in ways</p> <p>10 that can be a fairly strong disagreement?</p> <p>11 A Can you rephrase that?</p> <p>12 Q Yeah. Maybe a better way to say it is</p> <p>13 sometimes people can disagree pretty vigorously</p> <p>14 about what the Bible means or what it says. Is that</p> <p>15 fair?</p> <p>16 A Yeah, I would agree with that.</p> <p>17 Q Let me ask you a little bit, then, about</p> <p>18 sometimes I hear religious faith as a Christian as</p> <p>19 having a relationship with God or relationship with</p> <p>20 Jesus. Is that something you would use in your</p> <p>21 faith tradition?</p> <p>22 A Yeah, I believe so.</p> <p>23 Q Could you tell me what that relationship</p> <p>24 would look like?</p> <p>25 A I think it's almost like to me I would say</p>
<p style="text-align: right;">Page 15</p> <p>1 And it's also I think just as a</p> <p>2 whole, in my opinion, being overall the best person</p> <p>3 that you could be with I guess I'm huge on empathy,</p> <p>4 treating someone how you wish they would treat you,</p> <p>5 helping people when you can, attending church,</p> <p>6 praying if that's something that you do or</p> <p>7 meditating or whatever gives you that internal peace</p> <p>8 and connection. So that's kind of I guess my own or</p> <p>9 how I view Christianity.</p> <p>10 Q Thank you. I appreciate that. You talked</p> <p>11 about the word of God. What do you believe about</p> <p>12 the word of God? Could you unpack that a little bit</p> <p>13 please?</p> <p>14 A Sure. The Bible is definitely something</p> <p>15 that I grew up, you know, reading and studying. I</p> <p>16 was involved in confirmation and I guess I was</p> <p>17 confirmed around the age of 12, I believe. And so</p> <p>18 that had a lot to do with learning the word of God</p> <p>19 and also reading the Bible. I loved to highlight in</p> <p>20 the Bible, which some people probably wouldn't love</p> <p>21 that, but highlight in the Bible, take little notes</p> <p>22 and things like that. But it was a lot of -- I</p> <p>23 guess the word of God in simple terms the Bible is</p> <p>24 also a place some people go for comfort or for</p> <p>25 understanding and I think that each people, just</p>	<p style="text-align: right;">Page 17</p> <p>1 more so, you know, like the angel on your side,</p> <p>2 almost like a conscience. So my relationship with</p> <p>3 God is more so like thinking of God as the ultimate,</p> <p>4 if you will, I don't know a lot -- excuse me for not</p> <p>5 being poetic, but a nice person, somebody like I</p> <p>6 mentioned earlier that is just giving. So if I go</p> <p>7 into a situation, you know, for example if I'm at</p> <p>8 the grocery store and somebody is not able to pay</p> <p>9 for their groceries in front of me and I have a</p> <p>10 little bit of extra money, then I think back or</p> <p>11 think in my head or my own conscience like what is</p> <p>12 something good that I can do that's Christian-like</p> <p>13 that, you know, would almost exemplify God and who I</p> <p>14 see him and how I believe that he would act.</p> <p>15 So it's almost like a moral check if</p> <p>16 that makes sense. I try to see the world through</p> <p>17 the lens of being a Christian and having that</p> <p>18 relationship with God. And you know the famous</p> <p>19 saying WWJD, What Would Jesus Do. So it's something</p> <p>20 that I've always thought of and something that I've</p> <p>21 always tried to live from a place of.</p> <p>22 Q Thank you. That's helpful. You mentioned</p> <p>23 I think that you're still a part of the church that</p> <p>24 you grew up in.</p> <p>25 A Yes.</p>

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<p style="text-align: right;">Page 18</p> <p>1 Q What's the name of that church?</p> <p>2 A It's called West United Methodist Church.</p> <p>3 Q And you mentioned it's a Methodist church?</p> <p>4 A Yes, sir.</p> <p>5 Q When you say Methodist one of the things</p> <p>6 I've learned over the years is most denominations</p> <p>7 have multiple branches. Is it part of a larger</p> <p>8 association or denomination of Methodists?</p> <p>9 A I'm not sure.</p> <p>10 Q The one I'm familiar with is the United</p> <p>11 Methodist Church which is the big largest</p> <p>12 denomination. Could it be part of that</p> <p>13 denomination?</p> <p>14 A Yeah. It is referred to as West United</p> <p>15 Methodist Church. However, to be honest, I don't</p> <p>16 know what principles and teaching that they talk</p> <p>17 about. However, they are huge on inclusivity and</p> <p>18 diversity within their church, so I don't know if</p> <p>19 that falls under any of the Methodist denominations,</p> <p>20 if you will, but that's as far as I kind of know</p> <p>21 with them.</p> <p>22 Q Thank you. That's helpful. You mentioned</p> <p>23 the words inclusivity and diversity. Could you</p> <p>24 explain what your church believes about inclusivity?</p> <p>25 MR. WOLNOWSKI: Objection to form. Aubry,</p>	<p style="text-align: right;">Page 20</p> <p>1 BY MR. WARD:</p> <p>2 Q And my question had asked what your church</p> <p>3 believed. Let me ask it of you individually. Is</p> <p>4 that what you believe or -- let me leave it there.</p> <p>5 Is that what you believe as well?</p> <p>6 A Yeah. Yeah, I think so. I think I</p> <p>7 definitely align with them, which is why I choose to</p> <p>8 go and attend that church for sure.</p> <p>9 Q Thank you. Just to clarify one thing,</p> <p>10 you've mentioned that the pastor's husband is gay.</p> <p>11 Are they -- is the pastor and the husband, are they</p> <p>12 in a same sex marriage as well or is it some other</p> <p>13 arrangement?</p> <p>14 A So they are not. The main pastor is a</p> <p>15 female and her husband, they are now divorced. But</p> <p>16 we grew up knowing them as husband and wife. They</p> <p>17 got divorced a couple years ago and the ex-husband,</p> <p>18 if you will, is now with another man and that is</p> <p>19 something that the church as a whole has just kind</p> <p>20 of accepted and, you know, been okay with. It was a</p> <p>21 weird transition for the pastor and her own family,</p> <p>22 but it's something that he's still involved in the</p> <p>23 church, so is his current fiancé. So that's -- that</p> <p>24 was a little confusing when I said that, so I</p> <p>25 apologize.</p>
<p style="text-align: right;">Page 19</p> <p>1 you can answer.</p> <p>2 THE WITNESS: So they believe that, just</p> <p>3 in the sense of my own interpretation, very</p> <p>4 many of the church attendees or congregation</p> <p>5 are part of either homelessness, minority</p> <p>6 groups, people who have been past criminals or</p> <p>7 I guess people that generally may be turned</p> <p>8 away from churches or church members, including</p> <p>9 people that are gay, as well as the pastor's</p> <p>10 husband is gay. And so there is definitely</p> <p>11 that safe space for people that -- and that's</p> <p>12 one of the things that they pride themselves</p> <p>13 on, is being a safe place for people. You can</p> <p>14 show up in your pajamas and they don't care,</p> <p>15 because you're there to worship God and to them</p> <p>16 that's more important than what you're wearing,</p> <p>17 who you love or where you come from, what your</p> <p>18 background is and things like that.</p> <p>19 So I think inclusivity to them is</p> <p>20 basically just kind of like that, you know, we</p> <p>21 don't essentially care who you are or where</p> <p>22 you've been, but you're here today to, you</p> <p>23 know, better your relationship with God and</p> <p>24 learn and grow, so, you know, we take you as</p> <p>25 you are, essentially.</p>	<p style="text-align: right;">Page 21</p> <p>1 Q No apology needed. I'm less confused now.</p> <p>2 Thank you.</p> <p>3 A Okay.</p> <p>4 Q So if you wouldn't mind, can you explain</p> <p>5 for me, please, what you believe as part of your</p> <p>6 religious faith about marriage?</p> <p>7 A So I think marriage in a religious</p> <p>8 standpoint is -- I don't know. To me it's who you</p> <p>9 love. Marriage is a commitment to a person that you</p> <p>10 will be at their side through thick and thin for the</p> <p>11 rest of their life. So to me it's whoever that</p> <p>12 person may be, as long as it's legal I would say.</p> <p>13 That's definitely a marriage to me. I even know</p> <p>14 people who, you know, don't -- have been together</p> <p>15 forever and aren't marriage -- married because they</p> <p>16 don't see the need for a piece of paper.</p> <p>17 So I think for myself in a religious</p> <p>18 standpoint and personal standpoint marriage is just</p> <p>19 finding that person who you want to be by for the</p> <p>20 rest of your life, who you could see yourself</p> <p>21 raising kids with or not. But ultimately a person</p> <p>22 that supports you the most and also exemplifies God</p> <p>23 through their actions and, you know, beliefs as</p> <p>24 well. So hopefully that makes sense.</p> <p>25 Q That does. Thank you. And let me ask a</p>

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1 little more focused question. Does your religious  
2 understanding of marriage involve the idea of sexual  
3 exclusivity within marriage, that sexual conduct  
4 should only occur within a marriage?

5 A Can you rephrase that?

6 Q Sure. Do you believe as part of your  
7 Christian faith that sexual conduct should be  
8 limited to marriage only?

9 A No.

10 Q Thank you. Let me ask this. Are there  
11 particular religious writings or teachings that you  
12 found helpful in deciding about what you believe as  
13 part of your religious faith about marriage?

14 A There really aren't. I think growing up  
15 you're told certain things and then it's kind of, in  
16 my opinion, up for you to decide. But there is no  
17 Bible verses or teachings that I can think of around  
18 marriage, to be honest.

19 Q Thank you. Just I'm a little bit curious.  
20 At your wedding did you have any particular  
21 religious texts or readings that were shared?

22 A We did not, no.

23 Q Did someone from your church officiate at  
24 your wedding or did you have someone else officiate  
25 it?

Page 23

1 A We had someone from our church, yeah.

2 Q Was it the pastor that you mentioned a few  
3 minutes ago or someone else?

4 A It was not. To be honest, that was right  
5 during her divorce and everything. But we did have  
6 another person that was an ordained minister and she  
7 was in a same-sex relationship. So we thought that  
8 that was the best fit for us, yeah.

9 Q So your marriage was a religious ceremony  
10 within your own religious community and tradition.  
11 is that fair?

12 A Yes, sir.

13 Q Let me ask a little bit. I want to  
14 backtrack and just get some background about you and  
15 your family. When were you born?

16 A I was born November 30th of 1994.

17 Q What were your parents' names?

18 A My mom's name is Rosalind Diana McMahon  
19 and my father's name is Thomas John McMahon and I  
20 believe he's the 2nd. I don't know if that matters.

21 Q That's helpful. Thank you. Are they  
22 still married?

23 A They are currently going through a divorce  
24 right now.

25 Q Sorry.

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1 A That's okay.

2 Q Do you stay close with each of them?

3 A Yeah, very close. They live about an  
4 hour -- they still live in the town we grew up, so I  
5 moved a little further away. So they're about 45  
6 minutes to an hour away. But I plan to see them  
7 tomorrow. My brother's getting married, so his  
8 fiancée's having her bridal shower, so we are going  
9 for that. So we still see them at least a couple  
10 times a month.

11 Q Congratulations to your brother. That's  
12 an exciting occasion.

13 A Yeah.

14 Q I was going to ask about your siblings.  
15 Tell me about your siblings, please.

16 A So I'm actually a triplet. So I have a  
17 triplet brother named TJ, or Thomas John, McMahon.  
18 I think he's III. I have a triplet sister named  
19 Madison Maria McMahon, now Madison Gray, since she  
20 has been married, and then we have an older sister  
21 that was 18 months old when we were born and her  
22 name is Morgan Marjorie McMahon. She's married, but  
23 kept her name due to she's a physician's assistant  
24 and she didn't want to go through having to change  
25 that legally but also medically, if that makes any

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1 sense. So those are my three siblings.

2 Q That makes sense. I'm smiling at the  
3 triplets. I have twin daughters, so it's a  
4 wonderful thing to have that close relationship. So  
5 your brother's the last of the four of you to get  
6 married and he's getting married soon?

7 A Yes.

8 Q When did each of your sisters get married?

9 A My -- okay. So my older sister, I don't  
10 remember the date. They had actually gone to a  
11 courthouse to get married or, you know, sign the  
12 papers to make their marriage legal. And then they  
13 did a celebration, slash, ceremony, if you will, in  
14 this past June, this past June in Banff, Canada. So  
15 they had like a little destination wedding. And my  
16 triplet sister, they got married -- I was pregnant  
17 with E[REDACTED]. I believe it was late December, early  
18 January of 2019. It's hard to know with COVID.

19 Q Yeah, everything does tend to blend  
20 together. So you said late December, early  
21 January 2019 referring to --

22 A Sorry, not 2019. E[REDACTED] was born 2021.  
23 My daughter was born in 2021 and I was heavily  
24 pregnant at my sister's wedding. I'm sorry, so it  
25 was December 2020 or January 2021. Sorry.



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<p style="text-align: right;">Page 26</p> <p>1 Q That makes more sense. But you don't</p> <p>2 remember --</p> <p>3 A Sorry about that.</p> <p>4 Q No problem. You don't remember</p> <p>5 specifically the date or whether it was December or</p> <p>6 January?</p> <p>7 A I don't. I just know it was like a</p> <p>8 Christmas-themed wedding and right around</p> <p>9 Christmastime, yeah.</p> <p>10 Q That's helpful. And each of your</p> <p>11 siblings, are they married to a same-sex partner or</p> <p>12 opposite-sex partner?</p> <p>13 A Opposite-sex.</p> <p>14 Q So let me ask a little bit now about your</p> <p>15 immediate marriage family. You're married,</p> <p>16 obviously. Could you share with us your wife's full</p> <p>17 name, please?</p> <p>18 A Her name is Jaclyn, spelled, J-A-C-L-Y-N,</p> <p>19 Elizabeth Foreman.</p> <p>20 Q Foreman is spelled how?</p> <p>21 A F-O-R-E-M-A-N.</p> <p>22 Q Did I understand correctly that you're</p> <p>23 both in the process of the name change to Atwood, so</p> <p>24 at some point her last name will be Atwood as well?</p> <p>25 A Yeah. And our daughter's last name is</p>	<p style="text-align: right;">Page 28</p> <p>1 Q What drew you two together initially?</p> <p>2 A So we actually met on an app for the LGBTQ</p> <p>3 community called Her. And our first date was at a</p> <p>4 coffee shop. I almost bailed because it was raining</p> <p>5 and I don't like to drive in the rain, but I am glad</p> <p>6 I didn't. So we initially met on an app, but then</p> <p>7 our first date was at a coffee shop. And then from</p> <p>8 there we lived about 30 minutes away from each</p> <p>9 other, so we tried to hang out and get together as</p> <p>10 much as we could. But that was kind of the</p> <p>11 beginning of our relationship. We met on an app,</p> <p>12 but actually met, met in-person at a coffee shop.</p> <p>13 Q Do you remember the date that you first</p> <p>14 met, what timeframe that was?</p> <p>15 A I believe it was January -- December or</p> <p>16 January of either 2018 or 2019. I think it was</p> <p>17 2018, yeah, because COVID hadn't obviously happened</p> <p>18 yet. So I believe it was December of 2018.</p> <p>19 Q And where did the relationship go from</p> <p>20 there? What developed?</p> <p>21 A So we hung out for a while in the sense of</p> <p>22 got together for various dates like getting dinner</p> <p>23 or coffee or having movie nights and things like</p> <p>24 that. And then we officially became girlfriends I</p> <p>25 believe it was March of 2019 and then we were</p>
<p style="text-align: right;">Page 27</p> <p>1 Atwood on her birth certificate and everything, so</p> <p>2 we all want to match up, if that makes sense.</p> <p>3 Q That does make sense. Thank you. Has</p> <p>4 your wife used any other names?</p> <p>5 A Nope.</p> <p>6 Q Please tell me a little bit about your</p> <p>7 wife. What's she like as a person?</p> <p>8 A She's definitely more in a non-poetic way</p> <p>9 a firecracker. I'm more of the peacemaker, I want</p> <p>10 to people please, that sort of thing. And she is</p> <p>11 very knows what she wants, blunt on her boundaries</p> <p>12 and such as that. So we -- sorry. That was a</p> <p>13 calendar reminder that popped up on my laptop. My</p> <p>14 wife has something called Gate Duty. She's a</p> <p>15 teacher, so she has to let students into a softball</p> <p>16 game. So that just popped up.</p> <p>17 Q Thank you for telling me. That's fine. I</p> <p>18 appreciate you letting me know. I'm a little</p> <p>19 jealous. I'd like to be playing softball myself as</p> <p>20 well.</p> <p>21 A So she's been a teacher for nine years</p> <p>22 now. She teaches at a place called Central Academy</p> <p>23 of Technology and Art. So it's like an art academy</p> <p>24 type school, but overall she's a very caring person</p> <p>25 and we definitely balance each other out for sure.</p>	<p style="text-align: right;">Page 29</p> <p>1 engaged that following -- a year later, that</p> <p>2 November. So November 2020 we got engaged and then</p> <p>3 we got married September 2021. Nope. Sorry,</p> <p>4 September 2020 we got married, because I was</p> <p>5 pregnant. So I just skipped everything up a year,</p> <p>6 I'm sorry.</p> <p>7 Q If you don't mind could I ask you to lay</p> <p>8 it out again with the correct years? That will make</p> <p>9 the court reporter's job a lot easier.</p> <p>10 A Yeah, sorry. So we got married September</p> <p>11 of 2020. We got engaged November of 2019. We met</p> <p>12 or we started dating March of 2018 and we started</p> <p>13 talking or got on the app in December of 2017.</p> <p>14 Q Thank you. Those dates line up a little</p> <p>15 more.</p> <p>16 A It's easier to work backwards than it was</p> <p>17 forward.</p> <p>18 Q I take it that because you met through</p> <p>19 this app Her that you were each looking for a</p> <p>20 same-sex partner; is that right?</p> <p>21 A Yes.</p> <p>22 Q So for you at least what led you to decide</p> <p>23 to propose marriage? What was sort of the turning</p> <p>24 point where you decided you were going to propose?</p> <p>25 A I mean I think that we were together long</p>

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<p style="text-align: right;">Page 30</p> <p>1 enough that I felt -- and I, you know, -- people  2 often say you never -- you should never marry  3 someone, if you will, until you've seen them sick,  4 you've seen them mourn something, those tough, tough  5 life things that you generally go through. So that  6 was definitely something that I kept in the  7 forefront of my mind.</p> <p>8 So we had gone through like her dog  9 dying, you know, the part of the pandemic where we  10 had to be together 24/7. And so just those  11 challenges, as well as at that time I was still an  12 undergrad, so juggling that, I was also working, she  13 was teaching. So just kind of it was very easy to  14 find our groove, if you will, as partners and  15 girlfriends and, you know, fiancées, if you will.  16 So definitely it just felt right, I guess.</p> <p>17 In a way it just felt like I knew  18 that she was going to be there to support me and I  19 would be there to support her. I really valued her  20 as a person. I really loved her, for lack of a  21 better word, feisty side, because I was always a  22 people pleaser and she started to, you know, help me  23 notice some patterns of myself in terms of, you  24 know, always just the people pleasing, but people  25 pleasing in a negative way of always feeling bad,</p>	<p style="text-align: right;">Page 32</p> <p>1 mountains. So that is something that we had planned  2 that trip and we just ended up proposing at the same  3 time, which was really weird. But it was kind of  4 cool, but it was also interesting, because we were  5 kind of both thinking on the same wavelength, if you  6 will.</p> <p>7 Q So that's interesting. You proposed at  8 the same time, but you hadn't communicated ahead of  9 time. So is it fair to say you each surprised each  10 other with the proposal?</p> <p>11 A I, at least for me, I felt I knew it was  12 coming but not exactly when. So I always had that  13 inclining of maybe she will do it on this trip. I  14 was like, should I not do it? But as soon as she  15 pulled out the ring I pulled out the one that I had  16 for her, so it was just, I don't know, it just felt  17 right in the moment. So yeah, it was definitely  18 unique, but I think for myself I did have that  19 inclining of I think she's going to propose.  20 Because we had previously talked about what rings we  21 liked and we had gone to look at engagement rings  22 and things like that, so we knew it was coming and  23 that sort of thing but we just didn't know when.  24 So, yeah.</p> <p>25 Q Thanks for sharing that. So that starts</p>
<p style="text-align: right;">Page 31</p> <p>1 saying sorry, this, that and the other. She not  2 only was a fun person to be around but she also  3 challenged me to be the best person that I could be.  4 So that was definitely something that drew me to her  5 and wanting to spent the rest of my life with her.</p> <p>6 Q Thank you. You've mentioned that you were  7 able to be together all through COVID. When did you  8 first move in together to live together?</p> <p>9 A So I believe it was June of 2019.</p> <p>10 Q I think that lines up with the dates you  11 said. You were engaged in November, so you were  12 living together before you decided to become  13 engaged?</p> <p>14 A Yes.</p> <p>15 Q Who popped the question? Who proposed?</p> <p>16 A So we actually accidentally proposed at  17 the same time. We went to a place, its called --  18 it's like Laurel Spring area. It's on the border of  19 North Carolina, Georgia and Tennessee, so when you  20 climb up the mountain you can see all three states,  21 essentially. And we had always wanted to go there  22 and we had a weekend trip planned. Because at that  23 time we had tried to plan little trips every, you  24 know, three or four months. We loved to go to  25 Ashville, North Carolina just to be in the</p>	<p style="text-align: right;">Page 33</p> <p>1 an engagement period. About how long were you  2 engaged before the wedding?</p> <p>3 A So almost a year. I'd say 10 months,  4 yeah.</p> <p>5 Q How was the engagement period? Did things  6 go smoothly?</p> <p>7 A They did. I will say that's when COVID  8 started, the lockdown started. We had our -- the  9 first wedding venue that we wanted to book was in  10 the mountains and because of COVID we lost our  11 security deposit. So we decided -- that was really  12 only the stressful thing, was a lot of the  13 stipulations that were placed around COVID,  14 gatherings, things like that. So we ended up doing  15 in September of 2020 a small wedding in my parents'  16 backyard on the lake. Just because to me, or to us  17 it was more important to have our family there and  18 get married versus waiting for -- we felt like a  19 wedding is for the guests and everybody else when it  20 really should, in our opinions, be about the couple  21 and those people that support you and things like  22 that.</p> <p>23 So we -- I'd say the engagement  24 period was great. The only stressors were  25 definitely COVID, not knowing what was next in terms</p>

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1 of gatherings can be this size if they're inside or  
2 outside or all of the, you know, wedding planning  
3 stress on top of COVID.

4 Q There is enough stress from either of  
5 those events independently.

6 A Yeah.

7 Q It's not the best environment.

8 A Yeah.

9 Q That's helpful. So you ended up married.  
10 What sort of activities did you engage in during the  
11 engagement period? What sort of stuff did you do  
12 together?

13 A We did a lot of, as I assume did everybody  
14 else, crafting. We did help make face masks for our  
15 church. So this was before regulations on face  
16 masks came out. I will preface it with that. They  
17 were just cloth masks. They did have a filter in  
18 them. But my wife and I both know how to sew and we  
19 have friends in the church that knew how to sew. So  
20 we ended up making facemasks for adults, children,  
21 different sizes, fabrics ones. So that took up a  
22 huge part of our time because there was just a need  
23 for facemasks for everybody. We did a lot of that,  
24 we did a lot of house projects.

25 We bought our house -- we purchased a

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1 house in June, this house, in June of 2020. So we  
2 were able to do a lot of -- we painted the outside  
3 of the house, the sheds, we redid the kitchen, so a  
4 lot of just, you know, housey things. And then we  
5 did get pregnant with our daughter at that time as  
6 well.

7 Q That's actually a good transition to some  
8 other questions, but I realize there are a couple  
9 things I should just make sure I'm understanding  
10 correctly. I think you testified your wife's been  
11 employed in the same job for the last nine years; is  
12 that right?

13 A Yeah. Eight or nine, yeah.

14 Q And then your observation about Laurel  
15 Springs reminded me. I forgot to ask you, you were  
16 born in North Carolina and you currently live in  
17 North Carolina. Have you always lived in North  
18 Carolina?

19 A I have, yeah.

20 Q Never resided in another state?

21 A No. My parents are from Buffalo, New  
22 York, so I'm very glad that they had us in North  
23 Carolina, because I wouldn't have made it.

24 Q Understandable. So if you don't mind,  
25 let's talk a little bit about your daughter E[REDACTED].

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1 Could we start with the mundane things? What's

2 E[REDACTED]'s full name?

3 A Her full name is E[REDACTED], which is

4 E[REDACTED], middle name [REDACTED]

5 and then Atwood, A-T-W-O-O-D.

6 Q And I know sometimes names have special  
7 meaning. You mentioned that for Atwood. Did you  
8 choose the name E[REDACTED] for some sort of special  
9 meaning?

10 A We knew we wanted a gender neutral name,  
11 so oftentimes, you know, people think of E[REDACTED] as  
12 a boy's name, but to us it's a very gender neutral  
13 name, as well as the name Parker. That was other  
14 name on our list, or Tyler, or just -- so we knew we  
15 wanted a gender neutral name. And then for a middle  
16 name, Marjorie, she was named after my maternal  
17 grandmother.

18 Q I'm curious, how did you go about  
19 conceiving E[REDACTED], if you don't mind?

20 A Yeah. So we did -- I guess first off, we  
21 used a sperm donor from a cryobank called Cryo  
22 International. It's based out of Florida. And  
23 throughout that process we screened -- we started by  
24 screening donors to make sure that they did not  
25 carry any serious disorders or diseases. So that

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1 narrowed it down for us and then we chose a donor  
2 that we felt like was genuine. Because I think for  
3 us he just seemed to align with us in a sense of in  
4 a questionnaire they asked like, Do you eat healthy  
5 all the time, and some of the other sperm donors  
6 would be like, Yeah, I'm on a Paleo Diet or  
7 whatever. And while they may have been, our donor's  
8 response was, I try. So he was very we felt honest  
9 and genuine about his responses.

10 He has a daughter himself and so we  
11 just felt like the fact that he was genetically  
12 clear was important to us, but we didn't get a sense  
13 that he was trying to be something he wasn't. He  
14 dropped out of school to -- his fiancée got  
15 pregnant, so he dropped out of school to work to  
16 help, you know, raise his daughter. So that was  
17 definitely something that he wasn't, you know, this,  
18 you know -- yeah, so I guess he would -- we just  
19 felt he was genuine. He wasn't afraid to share his  
20 story or whatnot.

21 So we did choose the donor and then  
22 we did an IUI, which is intrauterine insemination,  
23 so there were no fertility drugs or anything like  
24 that. But we got pregnant on the first IUI try. So  
25 hopefully that answers it.

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1 Q That does. Thank you. Congratulations.

2 A Thanks.

3 Q Were you the one carrying the baby, do I  
4 understand correctly?

5 A Yes.

6 Q And had you ever been pregnant before  
7 E [REDACTED]?

8 A I had not.

9 Q Was the pregnancy difficult or was it  
10 uneventful?

11 A It was pretty terrible. I had hyperemesis  
12 gravidarum. So I essentially threw up the whole  
13 pregnancy and was in and out of the hospital getting  
14 IV medications. I was on a couple of different  
15 medications that are often used for people that  
16 undergo chemotherapy. And that was just to help the  
17 nausea and vomiting. So it was a pretty terrible  
18 pregnancy. I'm not going to lie. You know,  
19 everybody would say, You're going to miss it, and I  
20 was like absolutely not. So I wish it was better,  
21 because I've always wanted to be a mom and I would  
22 love to have more kids, but that's definitely not  
23 going to happen now.

24 Q I'm so sorry to hear that. Were you able  
25 to see ultrasounds of E [REDACTED]?

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1 A Yeah. Yeah. I was, yeah. My wife was  
2 only able to go to one or two I think because of  
3 COVID, but I did get to see, you know, ultrasounds  
4 of her. And then I did have a lot of anxiety around  
5 the time of, you know, threats of miscarriage and  
6 things like that. So there was an ultrasound kind  
7 of private practice, if you will, that did them. It  
8 was an ultrasound tech, but she would do them as a  
9 business for people that wanted like, you know those  
10 3D ones they do where it's very definite? We never  
11 got one of those, but I just wanted that peace of  
12 mind. Because there -- I wasn't going to as many  
13 prenatal visits and because I was so sick I just  
14 wanted that peace of mind that she was okay. So we  
15 did do some of those ultrasounds, but as far as  
16 official doctor ultrasounds I think we only had two,  
17 but Jaclyn was able to be at those, so....

18 Q I ask as much out of curiosity.  
19 Ultrasounds of my daughters were one of the great  
20 consolations for every hardship of the process. So  
21 I'm glad you got to see those.

22 A Yeah.

23 Q So the pregnancy was terrible?

24 A Yeah.

25 Q How was the actual childbirth experience?

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1 Was it better, worse? I hope better.

2 A So I was actually induced at 39 weeks  
3 because of the hyperemesis and there was a little  
4 bit of -- they had thought that I had gestational  
5 diabetes, but any time -- I don't know if you're  
6 familiar, but they test it with like that really  
7 sugary drink. But every time I would have that I  
8 ended up throwing up, so -- even after the  
9 three-hour test. So that was never able to be  
10 medically confirmed, but it was a worry.

11 But so the birth, I was induced.  
12 After 21 hours of labor and two hour of pushing I  
13 ended up having an emergency C-section. The doctor  
14 tore my bladder during the C-section, so that ended  
15 up being like a three-hour procedure. I  
16 hemorrhaged, which I was already anemic and getting  
17 iron transfusions during the pregnancy because of  
18 the hyperemesis one side effect is anemia, so I had  
19 that. But I also hemorrhaged during the birth. So  
20 it was a pretty traumatic birth.

21 And on top of that, it was during  
22 COVID, so my wife was the only one that was allowed  
23 to be there. So I didn't have support from my mom  
24 or my sister or anything. I went home on a -- with  
25 a catheter because of the bladder tear, so I had

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1 that for about a month. But after I got the  
2 catheter out it was pretty smooth sailing. I did a  
3 lot better after that.

4 But the pregnancy and the birth were  
5 terrible and because of the bladder tear I cannot  
6 have more children, or at least it's not medically  
7 deemed safe. But that's where we fall back on if we  
8 did decide to want to have another child we could  
9 always go the route of Jaclyn, so that is a, you  
10 know, blessing for us in terms of being in a  
11 same-sex marriage.

12 Q I'm so sorry for everything you went  
13 through. That does sound just terrible.

14 A Yeah.

15 Q So is E [REDACTED] okay? No repercussions for  
16 her out of all that?

17 A No. She's good. She's good. I mean she  
18 did have to be resuscitated at birth, so it was  
19 pretty traumatic. I didn't get to see her after the  
20 birth and after that terrible pregnancy that I just,  
21 you know, used the moment of being able to see her  
22 after she was born. You know, I didn't get to see  
23 that, so it was definitely hard. And I didn't get  
24 to hold her for, you know, at least I think three or  
25 four hours after she was born, so that kind of

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1 sucked. But, you know, it's okay. We are -- I'm  
2 working through it, so....

3 Q It's a lot to work through.

4 A Yeah, she's good now. She didn't have  
5 any, you know, medical issues, if you will, from  
6 that, thankfully.

7 Q And the resuscitation, was that from some  
8 sort of particular distress or problem?

9 A So she had meconium aspiration, so, which  
10 is pretty common, but wasn't definitely ideal.

11 Q I remember using the plungers to flush  
12 nostrils to make sure there was no meconium  
13 aspiration, so I'm grateful she was fine and no  
14 problems with that. Long-term other than the  
15 bladder tear, do you have any ongoing health issues  
16 from the pregnancy or the delivery?

17 A Nope, not that I know of. I will say my  
18 thyroid, which I've always had hypothyroidism. I  
19 was diagnosed at 12. It did get a little  
20 squirrely. My thyroid levels were a little  
21 irregular throughout the pregnancy and afterwards.  
22 But a lot of that was hormonal, so just finding the  
23 right dosage, that we were able to do this past  
24 year. So thankfully my thyroid levels are back to  
25 normal, I'm not anemic anymore. So everything has

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1 kind of healed and resolved from that, so that's a  
2 plus.

3 Q So are you at full health today? Is  
4 everything good overall?

5 A Yeah. Yeah.

6 Q After that sort of long ordeal it's good  
7 to be at full health.

8 A For sure.

9 Q Let's see. You mentioned now E [REDACTED]  
10 was -- I don't know if I asked you. What was the  
11 actual date of E [REDACTED]'s birth?

12 A She was born March 6, 2021.

13 Q And I could do the backwards math, but  
14 when did you become pregnant with her? How long was  
15 the pregnancy?

16 A I want to say we became pregnant in May or  
17 June. I'm not honestly sure.

18 Q That's fine.

19 A When I had her I was 39 weeks and I think  
20 three or four days, so, yeah.

21 Q Thank you. We probably would both love to  
22 talk about E [REDACTED] for the rest of the day. I have  
23 a friend that has a charity that fights sex  
24 trafficking and he says when you're a parent your  
25 heart walks around in a different body, which I

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1 think is very, very true.

2 Let me ask, if you don't mind, a  
3 little bit earlier when you were talking about sort  
4 of key parts of your faith journey you talked about  
5 going with your church to Uganda. Can you tell me  
6 more about that experience, please?

7 A Yeah. So I was in my first year of  
8 undergrad and this was a trip I knew I had wanted to  
9 go on. I did a little internship, if you will, with  
10 my church to be able to pay for the trip. So it was  
11 essentially like whatever hours I worked for the  
12 church it would go towards paying for me to be able  
13 to go on that mission trip. So that was just how it  
14 went about. And I don't remember the dates of it or  
15 anything, but it was about a 10 to 14-day trip in a  
16 little village in Entebbe, Uganda with the pastor of  
17 a church there. His name was Jeffrey.

18 And we immediately, you know, when we  
19 landed in Entebbe we had a van drive -- or we handed  
20 in Nebbe, I think, Uganda and drove to Entebbe,  
21 which was like a -- quite a long van drive. I don't  
22 remember how long. But that was even just crazy  
23 seeing the cultural differences. If we were stuck  
24 in traffic there would be kids coming up to the van  
25 trying to sell us like Coca Cola bottles that they

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1 had refilled with water from the creek. And that  
2 was very sad to see right from the getgo. Then we  
3 stayed in a nice hotel. Obviously I feel like in  
4 America it would be like a one-star, it probably  
5 wouldn't even be legally open, because it was in  
6 tough shape. The toilet was in a hole in the  
7 ground, the running water for a shower was a faucet  
8 head in the wall and we had to sleep with mosquito  
9 nets and things like that.

10 So then most of our time was spent at  
11 the orphanage, which was connected. It was almost  
12 like a campus. So part of the campus was the  
13 orphanage houses, if you will, part of it was the  
14 school building and then the other part was the  
15 church. So we did a lot around each various part of  
16 the campus. But a lot of what I liked to focus on  
17 at that time was being with the kids. I had met a  
18 little girl there. She was about four. Her name  
19 was Precious. And she was a kid from a village  
20 over, or next to the one we were at. But I felt  
21 this weird, strange pull forwards her, connection.

22 So I ended up asking if I could  
23 sponsor her. Because like I said, they did a  
24 similar thing as World Vision. I believe it was \$50  
25 a month which would pay for her medical care, her

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<p style="text-align: right;">Page 46</p> <p>1 schooling, her housing, things like that. And in  2 return she sent me letters periodically, pictures.  3 But I thought it was really cool that I had met her  4 and had that kind of -- I don't know. I just felt  5 like that's kind of one of those things where we  6 were talking about my relationship with God where I  7 just felt in that moment just this huge pull towards  8 her, that she was meant to be -- even though she  9 wasn't on the list of kids to be sponsored, I had to  10 sponsor her.  11               So I sponsored her I think for about  12 five years until she transitioned into high  13 school -- or not high school, sorry, middle school,  14 because at that point they moved to a different  15 village. They're no longer eligible, if you will,  16 to be in that orphanage. But I did sponsor her for  17 as long as I could. And so she was I'd say a huge,  18 huge impact of my time in Uganda.  19               And apart from that, like I said, we  20 did some medical care for the kids there. One  21 little girl had some sort of bug bite that got  22 infected, so there was larvae and maggots on her  23 leg. So a lot of us was taking care of that,  24 treating that. Sorry. And that was a huge thing or  25 eye-opening experience for me as well. And just the</p>	<p style="text-align: right;">Page 48</p> <p>1 that trip, because it had a huge impact on me. So,  2 yeah.  3               Q     Does look like a huge impact. Thank you  4 for sharing that.  5               A     Uh-huh.  6               Q     Was it with an organization? I know it  7 was through your church, but there was some sort of  8 partnership with some other organization?  9               A     Yeah. So Jeffrey, the pastor, his church  10 is called Acres Of Hope and they are under World of  11 God, which is -- it's like the church name but then  12 also the sponsorship, if you will, is through Acres  13 Of Hope Uganda.  14               Q     So you would give your gifts to Acres of  15 Hope and they would make sure it got to Precious?  16               A     Yeah. Yeah. And we also helped -- while  17 we were there, that reminded me, we also helped with  18 oftentimes the kids would send their sponsor a  19 little note or a craft or whatever. So while we  20 there one of the days we helped them make those  21 things, which was awesome, because as a sponsor and  22 donor I loved being able to receive things from  23 Precious. Or we would help, you know, take pictures  24 of the kids that were needing sponsors, so we would  25 take their picture and work with the translator on</p>
<p style="text-align: right;">Page 47</p> <p>1 way that, you know, even siblings help out with kids  2 and they loved for us to take their pictures and see  3 what they looked like.  4               And we did also a lot of -- the  5 pastor had a guitar, so a lot of times, you know,  6 they would sing Jesus Loves Me, but they sang it in  7 their tribal language, which is Yakumara. So we  8 would sing Jesus Loves Me with them. And when we  9 got home everyone that was on the mission trip sang  10 it for our congregation, which was really cool.  11 Because it just felt like -- I don't know the word,  12 but like it came full circle.  13               Yeah. So a lot of the mission trip  14 was based off of helping the kids, forming a  15 relationship with them as we were going to be their  16 partners, if you will, from the US. And so we got  17 to see, you know, their classrooms and help them  18 with that. They had started a farm as well, so they  19 had pigs, you know, fetching water, growing  20 vegetables. So we really got to immerse ourselves  21 in their community during that mission trip. And I  22 sobbed when we had to go home, because I didn't want  23 to go home. I would have loved to stay there for  24 forever if I could have. That was, you know, my  25 happy place, if you will. So I often think about</p>	<p style="text-align: right;">Page 49</p> <p>1 getting just a basic like profile, if you will,  2 information on them regarding like who they live  3 with, their story, how old they are, what they want  4 to be when they grow up, all those things.  5               So I did have, you know, experience  6 there as well working on that side of the  7 sponsorship as well. But it -- I was never like  8 officially hired by Acres of Hope. It was just  9 helping while we were there.  10               Q     Did you do anything to help them after you  11 were back in the US, like volunteer with them or  12 anything like that?  13               A     Yeah. So the pastor would often come. He  14 would come to the United States to visit  15 periodically, so whenever he did come they would do  16 a lot of -- and they still partner with Acres of  17 Hope now. So, for example, when we did come home --  18 or sorry, when we did go there we brought a lot  19 of -- I don't remember exactly. I know that we did  20 bring shoes and various donations for the village  21 and for the orphanage for the children. And then a  22 lot of times when we did return we brought back  23 jewelry and things that the moms had created, which  24 they still do now. And actually, I'm wearing one of  25 the bracelets that the moms had made.</p>



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1 But, yeah, so they do a lot of, you  
2 know, trying to sell things that the house moms have  
3 created in order to, you know, send that money back  
4 to them, if that makes sense. We do that in a  
5 sense, but then they also when they can they do like  
6 an adopt a farm animal. They do it generally around  
7 Christmas, like adopt a goat. So you can sponsor a  
8 goat, which then is given to the village or the  
9 orphanage to use for food.

10 So we do a lot of partnerships, if  
11 you will, with them in that sense. Hopefully that  
12 makes sense. It's a lot of us helping them with  
13 things -- with people buying things or whatever and  
14 United States or like Angel Tree type vibes, if you  
15 will. So just various things like that that we try  
16 to do.

17 They still go to Uganda on mission  
18 trips. I would absolutely love to go back, just  
19 maybe once E [REDACTED] is a little older, because I  
20 don't want to leave her for that long. But, yeah,  
21 definitely I would -- I want to go back very much so  
22 and my mom really wants to go. So one of my bucket  
23 lists, items, if you will, is to be able to go back  
24 with my mom. Sorry. I kind of mumbled.

25 Q No. No. That's fine. So you've only

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1 made the one trip. You've never gone back to  
2 Uganda?

3 A Correct, yes.

4 Q Thank you. Have you gone on any other  
5 mission trips since then anywhere?

6 A Yeah. So we did some local ones with my  
7 church. Like we went to -- we have done some in  
8 Georgia, we've done one in Kentucky. And those were  
9 a lot of working with organizations like Habitat For  
10 Humanity and so -- or working with like social  
11 services type facilities where the children either  
12 don't have like a good safe place to live. We  
13 helped a lot with doing renovations on people's  
14 houses, so building stairs or, you know, ripping up  
15 carpet and helping, you know, repair -- not repair  
16 mold, because legally we can't do that, I don't  
17 think, but just all of those in-between things.

18 And then, you know, on top of that on  
19 one of the mission trips in Georgia we got to go to  
20 this guy opened up a church in a commercial lot, if  
21 you will. So almost like he took an old Food Lion  
22 or grocery store and turned it into a church. And  
23 he had a lot of homeless people there, so we  
24 volunteered for their little soup kitchen, if you  
25 will, and did a lot of that. We got to hear a lot

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1 of their testimonies and stories about, you know,  
2 whether they were homeless due to drugs and alcohol  
3 or various things like that. So we have done a lot  
4 of mission trips in the United States, but that was  
5 the only one that I -- Uganda was the only one I've  
6 done out of state.

7 Q I see what you mean, it was a pretty big  
8 experience. It sounds like it's had a huge impact  
9 on you.

10 A Yeah, for sure.

11 Q Are you sponsoring any child through  
12 Hope -- Acres of Hope now?

13 A Yeah. I'm not right now. Once I was  
14 finished sponsoring Precious I just didn't I guess  
15 look for another child. It's definitely something I  
16 would be open to, but I think for right now  
17 financially it's just daycare is expensive and  
18 things like that. So -- and inflation and all that  
19 jazz. So we are just trying to make sure we have  
20 all our ducks in a row, but it would definitely be  
21 something that I would love to do again.

22 And my own family, my dad in  
23 particular, him and I got to sponsor a child through  
24 World Vision when I was younger. So I got to pick  
25 that child. It was -- we went to a like concert

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1 where it was like Winter Fest, I believe, in  
2 Charlotte, North Carolina. And they had a booth,  
3 World Vision had a booth of various kids you could  
4 choose from. So my dad and I sponsored one from  
5 World Vision when we were younger. I was probably  
6 in middle school. But, yeah, so that was the first  
7 kind of introduction, if you will, that I had gotten  
8 for sponsorship of children and I've always wanted  
9 to, you know, keep up with that.

10 Q Do you remember, how long did you sponsor  
11 that child through World Vision?

12 A Honestly I don't remember. I don't know  
13 if ya'll could look it up. But it was definitely a  
14 couple years for sure. I know he was from China and  
15 he did have a disability, I believe, but he was a  
16 younger -- probably a year old. I want to say his  
17 name -- gosh, I don't know. It was like Q-U-I-N-G.  
18 I don't want to pronounce it and butcher it, but  
19 from what I remember. And I loved just looking at  
20 the pamphlet from World Vision and looking at him  
21 and his story, so, yeah. But I believe we did  
22 sponsor him for a couple years.

23 Q Did you ever sponsor any other children?

24 A No. It was just him and then Precious,  
25 yeah.

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1 Q Great. I realize we have been going for  
2 about an hour and 15 minutes. Is this a good time  
3 to take maybe a five-minute break and then come  
4 back?

5 A Fine with me.

6 MR. WOLNOWSKI: Fine with me.

7 MR. WARD: Great. Thank you.

8 \* \* \*

9 (Whereupon, a brief recess was taken.)

10 \* \* \*

11 MR. WARD: Resuming back on the record at  
12 11:25.

13 BY MR. WARD:

14 Q Ms. McMahon, I wanted to keep exploring  
15 with you about some of these areas that you care  
16 about. And clearly you cared about children at risk  
17 and the situation in Uganda. Are there other causes  
18 or purposes that you're very passionate about or  
19 involved in?

20 A I mean definitely mental health. My  
21 undergraduate degree is in psychology. I'm a huge  
22 Dr. Phil fan. It was on, my bucket list to go see  
23 him live. But I guess he's stopping his show and  
24 I'm heartbroken about that. But so definitely  
25 mental health. I would love to be a mental health

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1 counselor but graduate school is very expensive. So  
2 I'm trying to find that right time, if there ever is  
3 a right time, to possibly go back to grad school or  
4 go back and begin grad school to become a therapist.  
5 So definitely mental health. I love animals. I'm  
6 trying to get my wife to let us get chickens. I've  
7 always wanted chickens. It doesn't have anything to  
8 do with the egg shortage, but I've always wanted  
9 chickens. Growing up I had a baby raccoon for a  
10 while. My dad did landscaping and found it.

11 So I've always been a lover of  
12 animals and helping nurture them back to health, if  
13 you will. We have two dogs. I would have a cat if  
14 I wasn't allergic. So that's also something. And  
15 then just the LGBT community in and of itself. We  
16 always go to Charlotte has pride events. They are  
17 very -- most of Charlotte is pride friendly, if you  
18 will, as well as Asheville, North Carolina where we  
19 like to go a lot. So just doing things -- those are  
20 just a couple of my interests, I guess. But mostly  
21 it's, you know, working and taking care of [REDACTED].  
22 And then we really love to be outside. So like if  
23 there is any local vendor events or small business  
24 things we love to go to those as well. So hopefully  
25 that answers it.

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1 Q That's really helpful. If you don't mind  
2 me just going a little deeper in some of these  
3 areas, in the area of mental health, what led you to  
4 be interested in that area, other than Dr. Phil,  
5 apparently?

6 A Yeah. So like I mentioned, I was a CNA  
7 and I thought I wanted to be a nurse, but I  
8 realized, to be blunt, putting a catheter in someone  
9 wasn't the type of care I wanted to give. I really  
10 enjoyed more the bedside manner, if you will,  
11 talking to patients and being that voice of  
12 validation or, you know, whatnot. I'm very, very  
13 big on, you know, treat people the way you want to  
14 be treated and especially when it comes to like my  
15 daughter's care or friends or family.

16 So once I started to realize that  
17 about myself, you know, I had had previously my own  
18 struggling with mental health in middle school and  
19 high school and college as well. And I've finally  
20 been in therapy for years and able to overcome those  
21 things. But that's also something that, you know,  
22 just I feel like mental illness and struggles in  
23 general are all around us and if I could do  
24 something to help somebody I will.

25 For a while I had started a -- it was

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1 called the Charlotte, North Carolina Mental Health  
2 Support Group. But I hosted it, if you will, out of  
3 a coffee shop in Charlotte from about 2017 until --  
4 I think it was February 2017 until January 2020 when  
5 COVID shut everything down. But that was a huge way  
6 for me feeling like I was, you know, helping others  
7 where they may not feel comfortable yet going to a  
8 professional therapist, but they need some guidance  
9 and help. It was more kind of a peer process group,  
10 but we did it every Sunday and I absolutely loved  
11 it.

12 So I guess mental health-wise that's  
13 kind of a huge part of it. I love to talk to  
14 people. I don't really have anxiety on the phone,  
15 which I feel is like a trait that people either have  
16 or don't. They either love talking on the phone or  
17 they hate it. So that's, yeah, kind of where all  
18 that went.

19 Q That's really helpful. And just so I'm  
20 clear, did I hear correctly the group you started,  
21 Charlotte Mental Health group, that stopped meeting  
22 in January 2020?

23 A Yes.

24 Q Have you done anything in that sort of  
25 organized effort to help with mental health since



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<p style="text-align: right;">Page 58</p> <p>1 that time?</p> <p>2 A So I did and have had my certification in</p> <p>3 mental health first aid and then something called</p> <p>4 QPR suicide prevention. So just various things like</p> <p>5 that. I work in healthcare now, so I feel like it's</p> <p>6 important to have those skills and to know how to</p> <p>7 navigate situations with people that may be suicidal</p> <p>8 or just struggling with their mental health in</p> <p>9 general. But beyond that one position that I had, I</p> <p>10 worked at Queen City Counseling, and they are a</p> <p>11 counseling center and treatment program for teens</p> <p>12 and adolescents in the Charlotte, North Carolina</p> <p>13 area. So I worked there for a brief time, but</p> <p>14 beyond that I've not done anything beyond the mental</p> <p>15 health support group.</p> <p>16 Q Sorry. Am I hearing right? Did you say</p> <p>17 Queen City?</p> <p>18 A Yeah.</p> <p>19 Q Thank you. When I was looking around I</p> <p>20 noticed there were references to you wrote a book or</p> <p>21 something about some sort of issues. Am I right,</p> <p>22 something like Still I Rise?</p> <p>23 A Yeah, I did. In -- while I was at Gardner</p> <p>24 Webb University they, in part of their student</p> <p>25 handbook, if you struggled with an eating disorder</p>	<p style="text-align: right;">Page 60</p> <p>1 But I did write about my experience</p> <p>2 in treatment and just what I learned and that's also</p> <p>3 why I started the Charlotte North Carolina Mental</p> <p>4 Health Support Group, because when I came home from</p> <p>5 treatment there were no support groups in the area</p> <p>6 and I felt it was something I could use and that, as</p> <p>7 I found out, many other people could as well. So I</p> <p>8 did write a book. I self-published it. I don't</p> <p>9 remember the name of the publishing company or</p> <p>10 whatnot, but it did decent, sold a bit. And I had a</p> <p>11 friend who also struggled with an eating disorder</p> <p>12 she did the cover art for it. So that was also cool</p> <p>13 that she was able to be involved.</p> <p>14 But I did just want to share my</p> <p>15 experience with people, but also at that time I had</p> <p>16 a lot of shame around my own struggles and all of</p> <p>17 that. And it was definitely a coping mechanism for</p> <p>18 me, almost like a journal, and I do a lot better</p> <p>19 writing than I do speaking. So I love to write and</p> <p>20 I'm huge on poetry and quotes and songs and things</p> <p>21 like that. So that was definitely something that I</p> <p>22 was proud of and still am.</p> <p>23 Q Thank you for sharing that. That sounds</p> <p>24 like they were quite helpful for you individually;</p> <p>25 is that right?</p>
<p style="text-align: right;">Page 59</p> <p>1 and were told to seek a higher level of care you had</p> <p>2 to do that. So I in my second year at Gardner Webb,</p> <p>3 that March, I went to a residential treatment center</p> <p>4 called Tapestry located in Brevard, North Carolina,</p> <p>5 which is by a waterfall, which is part of why I love</p> <p>6 the mountains and waterfalls and things. I was</p> <p>7 there for about three or four months with just doing</p> <p>8 the therapy, you know. It was residential and then</p> <p>9 I stepped down to something called PHP, which is</p> <p>10 partial hospitalization program. So that was less</p> <p>11 intense and I lived off campus but came during the</p> <p>12 day.</p> <p>13 So I wrote about my experience with</p> <p>14 that. I wrote about how I struggled with an eating</p> <p>15 disorder in high school and how that transitioned</p> <p>16 into college. One of the counselors that I saw at</p> <p>17 Gardner Webb validated that Gardner Webb is a small</p> <p>18 campus. I don't know if you're familiar with it.</p> <p>19 But it's in Boiling Springs, North Carolina, a</p> <p>20 one-stoplight town. There is like nothing to do.</p> <p>21 So either people exercise or they go eat with</p> <p>22 friends. That's a huge part of the community there,</p> <p>23 if you will. So anyways, I wrote about that in my</p> <p>24 book and then I don't really know -- I honestly</p> <p>25 don't remember how I ended the book.</p>	<p style="text-align: right;">Page 61</p> <p>1 A Oh, yeah, for sure. It was very, very</p> <p>2 therapeutic to write that book. At the time when I</p> <p>3 went into treatment it was a huge shock for my</p> <p>4 family, so it was also a way for them to be able to</p> <p>5 read it and kind of get an inside view, if you will,</p> <p>6 at what I was going through and that sort of thing.</p> <p>7 So it was definitely helpful, because it was like</p> <p>8 all of a sudden I was in college and I had to tell</p> <p>9 them I was being sent to treatment. So it was</p> <p>10 definitely a huge -- they were blindsided by it for</p> <p>11 sure. So, yeah.</p> <p>12 Q It sounds like it helped a lot of other</p> <p>13 people as well. did you get good feedback or heard</p> <p>14 from people that read the book or participated in</p> <p>15 the mental health group?</p> <p>16 A Yeah. In terms of the book, I know there</p> <p>17 are some reviews on line. I've not read any. I</p> <p>18 think I skimmed through it once on Amazon and there</p> <p>19 were some comments either about people wondering how</p> <p>20 I was now or how my family reacted, things like</p> <p>21 that. But I didn't include much about my family,</p> <p>22 because that's their own story. But in terms of the</p> <p>23 mental health support group, that was very</p> <p>24 successful.</p> <p>25 We have and still have a Facebook</p>

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<p style="text-align: right;">Page 62</p> <p>1 group. It's like a private group, but it's on</p> <p>2 Facebook, where we have about -- I know we had 5 --</p> <p>3 at least 500 members at one point. And even now</p> <p>4 people will still post and be like, Hey, does anyone</p> <p>5 in the area know of a trauma-trained therapist that</p> <p>6 takes Blue Cross and Blue Shield? So it's</p> <p>7 definitely a good community kind of platform, if you</p> <p>8 will, for lack of a better word.</p> <p>9           Even though we still don't meet in</p> <p>10 person, I love to see people still post on there to</p> <p>11 ask for recommendations and things like that. So</p> <p>12 that group I'm very, very proud of. And I did like</p> <p>13 a video interview with that, I wrote an article</p> <p>14 about it. I think those were the two main published</p> <p>15 aspects of it. But the article was on like Yahoo,</p> <p>16 it was on like The Charlotte Observer. And it</p> <p>17 talked about my story of going to treatment, coming</p> <p>18 home, needing a support group, forming a support</p> <p>19 group and kind of my brain behind that, if you will.</p> <p>20           So, yeah, I would say overall it was,</p> <p>21 you know, both of the things were successful. I'd</p> <p>22 say that the support group was more successful, in</p> <p>23 my mind, because it was every week I got to see the</p> <p>24 impact that it had on people, I got to help the</p> <p>25 community and still do. So that's definitely</p>	<p style="text-align: right;">Page 64</p> <p>1 church you think may be good for us to try out, or,</p> <p>2 you know, what school or restaurant or whatnot. So</p> <p>3 it's a lot of just in our community as it is.</p> <p>4 Indian Trail is, you know, very politically varied.</p> <p>5 So we have a Pride flag that hangs outside of our</p> <p>6 house. I have various bumper stickers. One's from</p> <p>7 the CALM group and it's a rainbow flag. So we</p> <p>8 have -- you know, try to support -- try to show our</p> <p>9 support in those ways.</p> <p>10           And my wife being a teacher, all</p> <p>11 of -- or most of her students, I can't speak for</p> <p>12 them, but as far as I know they know that she's</p> <p>13 married to a woman and, you know, that she's a safe</p> <p>14 spot for them. So we try in our day-to-day lives</p> <p>15 even to show that we are supportive of the LGBTQ</p> <p>16 community and things like that. So....</p> <p>17           Q    When did you get involved with Timeout</p> <p>18 Youth? When did that start?</p> <p>19           A    That was I want to say 2018? Yeah, I'd</p> <p>20 say it was summer of 2018. Jaclyn, my wife, had</p> <p>21 started volunteering there on her summers off. So a</p> <p>22 lot of times if I -- and I was at school at the</p> <p>23 time, so if I had a break from class I would bring</p> <p>24 her lunch or whatever and get to, you know, talk</p> <p>25 with people there and kind of see how it functioned,</p>
<p style="text-align: right;">Page 63</p> <p>1 something that I'll always be proud of.</p> <p>2           Q    Thank you for sharing about that. Let me</p> <p>3 ask. You mentioned another area where you're active</p> <p>4 and involved and that's advocacy for LGBTQ issues;</p> <p>5 is that right?</p> <p>6           A    Yes, sir.</p> <p>7           Q    Can you tell me a little about what you do</p> <p>8 in that area, please?</p> <p>9           A    Yeah. So there is an organization in</p> <p>10 Charlotte called Timeout Youth. They are -- I don't</p> <p>11 want to call it a boys and girls club, but that sort</p> <p>12 of type feel where kids can go after school, they</p> <p>13 can get resources if someone may be transgender or</p> <p>14 may be questioning their gender identity or their</p> <p>15 sexuality they can go and get support. My wife is a</p> <p>16 teacher, so in the summers she volunteers there when</p> <p>17 she has time off. So we do a lot of things to stay</p> <p>18 active in that community as well as like attending</p> <p>19 the Charlotte Pride.</p> <p>20           There is another group in Charlotte.</p> <p>21 It's called CALM, but it stands for Charlotte Area</p> <p>22 Liberal Moms. And it's a lot about moms helping</p> <p>23 moms, but also supporting businesses that are LGBTQ</p> <p>24 friendly and inclusive. And some people will post,</p> <p>25 Hey, we are a same-sex couple. Wanted to see what</p>	<p style="text-align: right;">Page 65</p> <p>1 if you will. And with various other places that</p> <p>2 I've worked the LGBTQ community for everywhere that</p> <p>3 I've worked so far has been acknowledged and</p> <p>4 accepted, so that is also something that's</p> <p>5 important.</p> <p>6           But, yeah, so in terms of Timeout</p> <p>7 Youth, I believe it was the summer of 2018 when we</p> <p>8 started kind of immersing ourselves with them and</p> <p>9 what they do.</p> <p>10           Q    And you continue to be involved with them,</p> <p>11 it sounds like?</p> <p>12           A    Yeah. Yeah. I will say with COVID, like</p> <p>13 Charlotte didn't hold their Pride for two years I</p> <p>14 believe because of COVID. So there were breaks in</p> <p>15 between when either with Pride or with Timeout Youth</p> <p>16 with lockdowns and things like that. But, you know,</p> <p>17 it may not have been consistent, but we are still,</p> <p>18 you know, I wouldn't say part of their community,</p> <p>19 because it's an organization and we are not hired by</p> <p>20 them or anything, but we still donate to them and</p> <p>21 things like that.</p> <p>22           Q    You've mentioned I think I got CALM, but</p> <p>23 Charlotte Area Liberal Moms --</p> <p>24           A    Yeah.</p> <p>25           Q    When did you start getting involved with</p>

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1 CALM?

2 A With them, I believe I can look -- well, I  
3 can't look now, but if you need it I can give you  
4 the date when I joined the Facebook group. But I do  
5 believe it was around 2020, I believe, yeah.

6 Q Do you remember when in 2020; spring,  
7 fall?

8 A I'd say fall of 2020, maybe August,  
9 November-ish.

10 Q Thank you. I'm not sure I understood  
11 fully what they do. Can you tell me just a little  
12 bit more about what sort of activities CALM engages  
13 in, please?

14 A Yep. So they do a lot of donation kind of  
15 coordination in the community. So, for example,  
16 when Charlotte had a lot of refugees from Ukraine  
17 come, we all worked to get them donated supplies,  
18 you know, find places to live, so, you know -- or a  
19 lot of them needed medical care. So if anyone in  
20 the group was a doctor or could offer any services  
21 such as that, it was a lot about -- or it is a lot  
22 about networking and helping people in the  
23 community, whether it be refugees or sometimes there  
24 will be they will put -- they call it a call to  
25 action. But, you know, if a single mom is about to

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1 be evicted and needs some sort of clothing, housing,  
2 monetary donations, then they will ask for those  
3 kinds of things.

4 For Christmas they do like an angel  
5 tree type thing that you can sign up for and donate  
6 to or adopt a family. So it's a lot about  
7 networking in the community, but also in a way that  
8 may -- some people may not agree with, for example,  
9 like helping the refugees find housing and be safe  
10 and things such as that.

11 Q Can you tell me in particular, what did  
12 they do with regard to LGBTQ issues? What's their  
13 activity there?

14 A They always attend Pride, they're huge  
15 with helping Timeout Youth, they're huge supporters  
16 of businesses that are involved with the LGBTQ  
17 community or inclusive of things such as that. So  
18 I'd say mostly just -- what's the word? I don't  
19 want to say advertise, but mostly just putting out I  
20 guess to the community, you know, various issues.  
21 In the Charlotte area, the county that we live in  
22 right now, the Union County School Board has a lot  
23 of LGBTQ opinions.

24 So a lot of what CALM does is I  
25 wouldn't say protest, because it's not like a --

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1 peacefully protest or show up to the board members  
2 and try to advocate for the LGBTQ youth and their  
3 rights and things like that or, you know, with  
4 various laws that they have been worried about being  
5 passed, you know, making sure people have  
6 protection.

7 Or, you know, for us when we were  
8 going through the legal process of Jaclyn adopting  
9 E [REDACTED] we had just posted I think in CALM and asked  
10 like, Hey, does anybody have any resources for an  
11 LGBTQ-friendly lawyer. So that was something -- or  
12 somebody that had experience with that. So I guess  
13 just finding resources. And they do work, like I  
14 said, a lot with the Charlotte Pride events, but  
15 also helping with LGBTQ rights and things like that.

16 Q And what's your personal involvement,  
17 then, on those sort of issues? Let me rephrase that  
18 to be a little bit clearer. How have you personally  
19 been involved in LGBTQ type issues?

20 A I mean we are -- we go to Pride every  
21 year, we help out -- not help out, but donate our  
22 time and money to Timeout Youth, to Pride. My wife  
23 is always a huge safe spot, if you will, emotionally  
24 I guess to her students just in a sense of giving  
25 them that sign of relief when they see her little

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1 Pride flag or her desk, that she's a safe person, if  
2 you will.

3 But, yeah, so in terms of LGBTQ, like  
4 the human rights campaign, we donated to them for a  
5 while, we do help a lot when we can just like with  
6 sponsoring kids through church organizations, but  
7 also helping with organizations that support the  
8 LGBTQ community. So monetary donations, Timeout  
9 Youth, kind of like the smaller version of Goodwill  
10 where you can give old clothes, housing items and  
11 those are all given to either teens that may have  
12 been kicked out of the house because their family  
13 doesn't agree with their sexuality or things like  
14 that. So we do try to give a lot to those  
15 communities.

16 And I think also huge for me  
17 personally it is scary sometimes to have a Pride  
18 flag in front of our house. I wouldn't -- I'd be  
19 lying if I said that I hadn't wanted to take it down  
20 at points because I've been afraid, especially  
21 during elections and things such as that. So I  
22 think even just standing firm in our acceptance and  
23 allied-ship, if you will, with the LGBTQ community  
24 is something that it's scary, but it's also what we  
25 feel like we need to do, if you will.

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1 Q Thank you. When I was Googling around and  
2 trying to find things I found something called  
3 Bonfire where it looks like you have some artwork  
4 that you do?

5 A Yeah, uh-huh.

6 Q Can you tell me a little bit about that?  
7 I've got a couple printouts that I can bring in as  
8 exhibits if that's helpful. Let me go ahead and do  
9 that. So go ahead if you want to start talking a  
10 little bit.

11 A Yeah. I don't remember exactly when I  
12 started it. I remember one design it says Stay  
13 Alive and it has a floral decoration on it. I  
14 honestly cannot remember what -- I think that was  
15 for an Out Of Darkness walk or either that or the  
16 Charlotte National Eating Disorder Walk, some  
17 awareness walk that we went to. For the Charlotte  
18 North Carolina Mental Health Support Group we were  
19 all going to wear T shirts. So I had dabbled, if  
20 you will, in graphic design and marketing previously  
21 for a company -- well, actually a couple companies,  
22 including the counseling place that I worked at. So  
23 it's something that I enjoy.

24 And at the time of us wanting to  
25 conceive E [REDACTED], it's very expensive, so we did

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1 do -- or I did some designs, if you will, on  
2 Bonfire. Bonfire is like I don't want to say a  
3 charity, because it's not. It's like a fundraising  
4 kind of platform. So we started it with -- it was  
5 kind of in two sections. We started it for the  
6 Charlotte North Carolina Mental Health Support Group  
7 and also used it again when we were trying to pay  
8 for everything to conceive E [REDACTED]. So I just kind  
9 of made designs that I felt exemplified me as a  
10 person my beliefs, my -- things like that, yeah.

11 Q It may be the schoolteacher in me, but I  
12 like visual aids. Let me suggest that we introduce  
13 as Exhibit 2 something that's I believe a printout  
14 on Bonfire. It should be in the chat for everyone  
15 to look at. So please go ahead and take a look at  
16 that.

17 \* \* \*

18 (Whereupon, the above-mentioned  
19 document was marked for  
20 identification as Exhibit-2.)

21 \* \* \*

22 THE WITNESS: My computer might make a  
23 noise when I do. Yep. Oh, yeah. Okay. Can I  
24 also add that we did do some merchandise, if  
25 you will, for CALM, which is what you can see

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1 the logo. Sorry, I'm still trying to pull it  
2 up. I don't know where it went.

3 BY MR. WARD:

4 Q No problem. This is your entry page.  
5 I'll upload a couple individual pages so it's easier  
6 to see them. Sometimes these printouts are too  
7 small.

8 A Okay. Is it popping up in a different  
9 window? Oh, wait. I found it. Okay.

10 MR. SZYMANSKI: Aubry, I had to click save  
11 before it would open on my computer. I had to  
12 save it first.

13 THE WITNESS: Okay. I got it open. Sorry  
14 about that.

15 BY MR. WARD:

16 Q No problem. Let me do the usual lawyer  
17 questions on these things. Do you recognize this?

18 A Yeah, for sure.

19 Q What is it?

20 A This is -- looks like the Bonfire web  
21 page, Bonfire being the website I guess you could  
22 say, or company, that we used to sell or list the  
23 designs of various -- for various projects, if you  
24 will.

25 Q Am I right the banner at the top of this

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1 page, is that a picture of you on the right? It's a  
2 little bit obscured by the log-in.

3 A Yeah, I'm the orange one.

4 Q Who is the other person? Is that your  
5 wife?

6 A Yeah, that's my wife.

7 Q That's Jaclyn Foreman?

8 A Yes.

9 Q Then I take it on all of these pages these  
10 are all the products that you're selling through  
11 Bonfire?

12 A Yes. I don't sell them anymore, because  
13 you have to list them for like a certain like  
14 one-week, two-week kind of thing. So none of them  
15 are live as far as I know. And you also have to  
16 sell like a minimum amount in order for them to be  
17 printed. So I have not sold anything. The last one  
18 we had done was the one on top, the CALM, for that  
19 Charlotte Area Liberal Moms.

20 We had sold merchandise, which they  
21 sell car magnets that are the circle, through a  
22 different person. So they wanted T-shirts and other  
23 things, so we created on here and all of those  
24 proceeds go to the CALM group, if you will, for  
25 things like I mentioned before, like donations to

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<p style="text-align: right;">Page 74</p> <p>1 moms or Christmas, whatever. But that was the last</p> <p>2 one that we had done and I don't remember when the</p> <p>3 last product or, if you will, had sold, but, yeah.</p> <p>4 Q Let me go ahead and send to everyone what</p> <p>5 we can mark as Exhibit 3, because I think we have</p> <p>6 got a Printout of the CALM page in particular. That</p> <p>7 may be a little easier for us to look at.</p> <p>8 * * *</p> <p>9 (Whereupon, the above-mentioned</p> <p>10 document was marked for</p> <p>11 identification as Exhibit-3.)</p> <p>12 * * *</p> <p>13 THE WITNESS: Did you all hear that noise?</p> <p>14 BY MR. WARD:</p> <p>15 Q I did.</p> <p>16 A Okay. That was just letting you know that</p> <p>17 was the CALM mug that popped up.</p> <p>18 Q I've sent you Exhibit 3, but on Exhibit 2</p> <p>19 just want to do something that we lawyers do a lot,</p> <p>20 and confirm. So is that a true and correct printout</p> <p>21 of your main page on the Bonfire site?</p> <p>22 A As far as -- since the last time I saw it</p> <p>23 it looks just like it did, yeah. I've not been on</p> <p>24 there in at least a year, so I wouldn't know right</p> <p>25 from the getgo, but as far as the last time I've</p>	<p style="text-align: right;">Page 76</p> <p>1 Bonfire site for about a year. Do you remember what</p> <p>2 time period you had this CALM material available on</p> <p>3 the Bonfire site?</p> <p>4 A I don't, to be honest. I could guess, but</p> <p>5 I don't remember off the top of my head.</p> <p>6 Q Just your best recollection is fine.</p> <p>7 A I'd say at some -- 2021, maybe.</p> <p>8 Q That's helpful. And again, that same</p> <p>9 thing to make sure I've got accurate information, is</p> <p>10 this a true and correct copy of the particular part</p> <p>11 on the Bonfire site? Is that right?</p> <p>12 A Yes, sir.</p> <p>13 Q And the rainbow colors in the CALM logo,</p> <p>14 is that intentionally designed to be a LGBTQ</p> <p>15 community symbol?</p> <p>16 A I believe so. I didn't create the logo,</p> <p>17 but I would assume with CALM's mission, if you will,</p> <p>18 that that would be it, yeah. And that's, you know,</p> <p>19 why we have it on the car and my wife and I both of</p> <p>20 the magnet. So, yeah, that's as far as my</p> <p>21 understanding is, yeah.</p> <p>22 Q I think I may not have asked you this.</p> <p>23 When did you first become involved with CALM?</p> <p>24 A So I believe I think you asked, but I</p> <p>25 think I was around -- like I said, I could look at</p>
<p style="text-align: right;">Page 75</p> <p>1 seen it, that looks like it's right, yeah.</p> <p>2 Q Thank you. On this thing we have marked</p> <p>3 as Exhibit 3, is this what you were referring to</p> <p>4 before, the materials that you created for Charlotte</p> <p>5 Area Liberal Moms?</p> <p>6 A Yes.</p> <p>7 Q So you're talking about I guess the logo,</p> <p>8 the circle with the rainbow flag and then the CALM</p> <p>9 insignia inside it?</p> <p>10 A Yeah. The -- Charlotte, North Carolina is</p> <p>11 referred to as the Queen City, which is kind of</p> <p>12 where crowns and Queen City Counseling comes from,</p> <p>13 if that clarifies it for anybody.</p> <p>14 Q It does. A whole lot of things make</p> <p>15 sense, Queen City Counseling and the crowns there.</p> <p>16 Is that a design you created or is that a design</p> <p>17 CALM already had?</p> <p>18 A Yeah, they already had that one. I will</p> <p>19 say beforehand, at least for the magnets that they</p> <p>20 give for the car, for cars, right now if you</p> <p>21 literally took that circle, that's what the magnet</p> <p>22 looks like. However, before it was just black and</p> <p>23 white.</p> <p>24 Q That's helpful. Thank you. Do you</p> <p>25 remember -- you were saying you haven't gone on the</p>	<p style="text-align: right;">Page 77</p> <p>1 the Facebook group of when I joined it, but I do</p> <p>2 believe it was around 2020, in the fall of 2020.</p> <p>3 Q And you're reminding me, sorry. I think</p> <p>4 you did say August to November-ish. Sorry.</p> <p>5 A Yeah.</p> <p>6 Q That's my bad memory kicking in. Let me</p> <p>7 send around what we can mark as Exhibit 4 to your</p> <p>8 deposition. This is another Bonfire printout.</p> <p>9 * * *</p> <p>10 (Whereupon, the above-mentioned</p> <p>11 document was marked for</p> <p>12 identification as Exhibit-4.)</p> <p>13 * * *</p> <p>14 BY MR. WARD:</p> <p>15 Q I'll ask you, do you recognize this?</p> <p>16 A Yes.</p> <p>17 Q What is it?</p> <p>18 A That is a T shirt design that we did, or</p> <p>19 that we made just of a quote that I like. I had</p> <p>20 previously had a shirt that had that quote, Love is</p> <p>21 a terrible thing to hate, on it, because I feel like</p> <p>22 it exemplifies almost like you asked earlier my</p> <p>23 definition of marriage. So, yeah, that is one of</p> <p>24 the shirts that we had made.</p> <p>25 Q Do you remember when you made these?</p>

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1 A Oh, geez. I believe it would have been  
2 2020. I believe it was 2020, yeah.

3 Q Do you remember about what month you would  
4 have put them out?

5 A I don't remember. I will assume, though,  
6 it was around the time we were trying to conceive  
7 E [REDACTED], so about May to July of 2020.

8 Q So at least pre-E [REDACTED]'s conception, they  
9 were out by then?

10 A Yeah.

11 Q That's helpful. I take it again that the  
12 rainbow design is indicating your support for the  
13 LGBTQ community?

14 A Yes.

15 Q You had a posting on the first page that  
16 says, We are a same-sex couple that is raising funds  
17 to start our family.

18 A Yes.

19 Q I'm curious, did you receive donations or  
20 purchases out of this? Were the funds helpful?

21 A Yeah, for sure. A lot of it did go to the  
22 cost of, for lack of a better word, sperm. We had  
23 ordered -- each vial you order is about \$800,  
24 shipping is I think about 250. So all in all it  
25 took about \$4,000 to conceive E [REDACTED], so those

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1 funds were used towards that and, you know, for  
2 people that wanted to support us in that way.

3 Q And do you know about how many total you  
4 sold?

5 A I do not. But I could get you that  
6 number. I'm sure it's on the -- not the website,  
7 but the portal, on the owner portal, if you will.  
8 So I'm happy to get those numbers if you need, but  
9 I'm not sure.

10 Q Thank you. Not particularly important,  
11 more my curiosity. I always like to understand  
12 things. Did you keep any copies of this? Do you  
13 still have ones that you wear or child-size ones for  
14 E [REDACTED] to wear?

15 A Yeah. We had the Stay Alive one, which I  
16 don't know if it was in the Exhibit 2. I can pull  
17 it. I'm looking on Exhibit 2. Yeah, so if you  
18 scroll to page three, about halfway down you'll see  
19 a premium unisex T and a classic long sleeve T, both  
20 have that Stay Alive. We have that but in the gray  
21 sweatshirt version. We have two of those we still  
22 wear. And then we have if you go up to the second  
23 page, that's floral design, we have one of those  
24 sweatshirts as well, but in the red, the maroon  
25 color. And then for E [REDACTED], we don't have it

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1 anymore. We donated it, but the rainbow onesie on  
2 the bottom of Page two, we had a gray one of those.  
3 And I think that's it, yeah.

4 Q Just again confirming, so Exhibit 4 is a  
5 true and correct copy of that section of the Bonfire  
6 web page that you set up; is that right?

7 A Yes, sir.

8 Q Thank you. Let me send around one more.  
9 We can mark this as Exhibit 5. This is another  
10 Zoom-in on the site.

11 \* \* \*

12 (Whereupon, the above-mentioned  
13 document was marked for  
14 identification as Exhibit-5.)

15 \* \* \*

16 BY MR. WARD:

17 Q If you would take a look at that, please?

18 A The rainbow one?

19 Q Yes.

20 A Okay, got ya.

21 Q Can you explain to me what the rainbow  
22 design is?

23 A I would describe my style, if you will, as  
24 almost bohemian if you understand, light and airy,  
25 lot of florals. And the rainbow is also significant

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1 to me just like in the logo, the Just Be logo,  
2 rainbows are -- also I love them just for their  
3 meaning in the LGBTQ community, but also I love  
4 those pastel boho kind of colors. So that one I  
5 just, you know, made because -- yeah, because I like  
6 the design and the colors and rainbows.

7 Q It sounds like it's fair to say, then,  
8 that rainbow has sort of a double purpose for you.  
9 It's both a way to advocate for the LGBTQ  
10 perspective, but also it's got an aesthetic appeal?

11 A Yeah. I'd say, yeah. I'm not a very bold  
12 color, like the red, orange, yellow green blue.  
13 That's kind of the more aggressive colors. I like  
14 the more calming tones, so that would be the only  
15 distinguishing factor, if you will, of those two for  
16 me, yeah.

17 Q You referred several times to the Just Be  
18 phrase?

19 A Yeah.

20 Q What's the meaning of Just Be?

21 A To me it's just -- it's a lot about  
22 mindfulness in that moment. Just be kind of who you  
23 are, where you are. I think it's a huge almost  
24 slogan, if you will, for me as a person and how I go  
25 about things. If you think I'm weird for liking



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1 French vanilla creamer, then just be, that's fine.  
 2 Almost like it is what it is. You know, you do you,  
 3 you know, just be. Just be who you are and, you  
 4 know, it's like a mindful kind of reminder to myself  
 5 and, you know, to others that who you are in that  
 6 moment is exactly who you need to be and to not feel  
 7 shame for that or things like that. Just also in,  
 8 you know, really any viewpoint I feel like you could  
 9 take it from. So if -- with raising toddlers, if  
 10 [REDACTED] wants pizza for breakfast, that's what we  
 11 are going to do, because you've got bigger battles.  
 12 So it's kind of a mantra for me, if you will, and  
 13 how I go about my life.

14 Q So you should send it to Dr. Phil. It  
 15 might --

16 A I actually did have a -- I took a picture  
 17 of a shirt, as sweatshirt with his face on it in  
 18 floral and he featured it on his show, which was  
 19 cool.

20 Q That's very cool. You also referred to --  
 21 there is another one that says Stay Alive. I was  
 22 curious what that means to you?

23 A Yeah. I think just with my own personal  
 24 struggles with like an eating disorder and I've had  
 25 struggles with self harm, suicidal ideation, as well

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1 as almost everybody in the mental health support  
 2 group that I ran did as well. And at for one of the  
 3 walks we did that was called the Out Of Darkness  
 4 Walk, it's a suicide prevention walk or, you know  
 5 it's to raise awareness for those that have died by  
 6 suicide. So it's definitely a, I don't want to keep  
 7 saying slogan, but, you know, Stay Alive, you know,  
 8 it is worth it.

9 When I was younger I never thought I  
 10 would make it to 16, but, you know, here I am. I  
 11 never thought that, you know, because of  
 12 complications from my eating disorder that I would  
 13 be able to have a child, but I stayed alive and, you  
 14 know, persevered. And so it's just something that  
 15 everybody needs and I like to wear it as a reminder  
 16 to other people, purposely wear it. If I'm passing  
 17 someone in Walmart and they're having a tough time,  
 18 if they see Stay Alive, it's a little bit of, wow,  
 19 that person -- that's a good reminder. So hopefully  
 20 that makes sense.

21 Q It does, and thank you for sharing that.  
 22 I'm troubled to hear you didn't know if you'd make  
 23 it to 16. I hope that's resolved. I hope that  
 24 there's been healing there, but that sounds like a  
 25 pretty tough stretch.

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1 A Yeah.

2 Q It sounds like this has been helpful.  
 3 These are both personal statements and public  
 4 statements mixed together. They have a lot of  
 5 meaning for you but they have a lot of meaning to  
 6 speak them out in the world as well.

7 A Yeah. I'm very much so -- I'm not a very  
 8 superficial person just in a sense of if people ask  
 9 me, How was your pregnancy. I'm not going to be  
 10 like, It was fine, because I want to raise awareness  
 11 about those things. Especially with post-partum  
 12 depression and anxiety and things like that, it's  
 13 not talked about. And I know there was a news story  
 14 recently where a mother had taken the lives of her  
 15 children because of something like post-partum  
 16 psychosis. So definitely knowing those things in  
 17 terms of the mental health community, as well as the  
 18 LGBTQ community and really Black Lives Matter and  
 19 any minority group, like I'm not ashamed to say,  
 20 Yeah, we donated to help people from Ukraine come  
 21 here, because everyone deserves a right to be safe  
 22 and feel safe and, you know, happy. You know, so  
 23 it's just also something that is important to me in  
 24 that way too.

25 Q That makes a lot of sense. Thank you. I

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1 don't remember asking. So Exhibit 5 is also a true  
 2 and accurate copy of a portion of your Bonfire web  
 3 page. Is that fair?

4 A Yes, sir.

5 Q Thank you. What was the earliest that you  
 6 put any of these things up on Bonfire? You  
 7 mentioned for one of them I think that it had been  
 8 before [REDACTED] was conceived. Was that the earliest  
 9 or were there things you posted even before then?

10 A I think that was the earliest as far as  
 11 I'm remembering, yeah. I know I did them all -- I'm  
 12 pretty positive I did them all around the same  
 13 period. It might have been two or three days or a  
 14 week push out for me to make the designs and such,  
 15 but -- and list them, but I would say it was all  
 16 around the same time.

17 Q This has been helpful. And clearly you're  
 18 a talented artist. You shouldn't give up that  
 19 calling as well.

20 A Thank you.

21 Q I'd like to ask you some about how you  
 22 came to decide that you are same-sex attracted as it  
 23 were. Can you kind of let me know -- let me do this  
 24 in a little more orderly way. I take it it's fair  
 25 to say that you are same-sex attracted?

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<p style="text-align: right;">Page 86</p> <p>1 A Yes.</p> <p>2 Q And it's fair to say you identify as a</p> <p>3 lesbian; is that right?</p> <p>4 A Yes.</p> <p>5 Q Can you take me back to the start of the</p> <p>6 journey where you came to that recognition? Sort of</p> <p>7 walk me through how you reached that conclusion,</p> <p>8 please.</p> <p>9 A I think like with a lot of people that are</p> <p>10 in the LGBTQ community they always have -- or at</p> <p>11 least I often hear that they always had this little</p> <p>12 inclining or suspicion that they were gay or</p> <p>13 bisexual or whatever it may be. And I experienced</p> <p>14 that a lot from I'd say about high school. You</p> <p>15 know, I had male dates to prom, but I found myself</p> <p>16 wanting to dance with the other females. But I was</p> <p>17 like, no, it's fine. And even in college I had gone</p> <p>18 on a date with a guy, but just that was it. You</p> <p>19 know, I'd have friends that are guys and things like</p> <p>20 that, but there was never that connection.</p> <p>21 And before I guess defining myself as</p> <p>22 a lesbian I did define myself as a pansexual, which</p> <p>23 means you have an attraction more so to the person</p> <p>24 and almost not to be like nerdy, but their soul and</p> <p>25 who they are as a person versus their genitalia, you</p>	<p style="text-align: right;">Page 88</p> <p>1 I kind of rambled a little bit.</p> <p>2 Q I appreciated earlier I think you used the</p> <p>3 word authentic, that you're a very authentic person.</p> <p>4 And that was very authentic, so please don't</p> <p>5 apologize. I appreciate you sharing that. So it</p> <p>6 sounds like there was a point where you told people,</p> <p>7 like your family, you were bisexual, but internally</p> <p>8 that wasn't an accurate representation of who you</p> <p>9 were. You would have said you were pansexual; is</p> <p>10 that right?</p> <p>11 A Yeah. At that time I didn't know -- I</p> <p>12 honestly didn't know about what pansexual or</p> <p>13 whatever was. I just in that moment when I was</p> <p>14 learning who I was I felt like by sexual fit. But</p> <p>15 now looking back I realize, Oh, I said that because</p> <p>16 it was -- I wanted to make it easier, if you will,</p> <p>17 for my family to hear. Does that make sense?</p> <p>18 Q Yeah, that --</p> <p>19 A But in the moment, no. In the moment I</p> <p>20 thought that I was bisexual, but then, you know,</p> <p>21 looking back now I can realize the transition, if</p> <p>22 you will.</p> <p>23 Q That is helpful. That helps me understand</p> <p>24 it much more. I guess we are using terms like</p> <p>25 identify and present which have an outward focus but</p>
<p style="text-align: right;">Page 87</p> <p>1 know, or their anatomy, if you will. So I did feel</p> <p>2 that a lot. And when I came out and expressed my</p> <p>3 sexuality to my family, I did initially tell them</p> <p>4 that I was bisexual, which I think a lot of people</p> <p>5 in the LGBTQ community usually do. Because for</p> <p>6 whatever reason it seems less severe, if you will,</p> <p>7 because at least you still kind of like men if</p> <p>8 you're a woman or at least you kind of like women if</p> <p>9 you're a man.</p> <p>10 But then I realized that that wasn't</p> <p>11 the case for me. And in terms of pansexual, I am</p> <p>12 fine or feel fine with if it's a female that</p> <p>13 presents in a more masculine way, that's fine with</p> <p>14 me. So definitely I think everybody has their own</p> <p>15 journey of not only learning if they're gay or not,</p> <p>16 but also kind of where they fit in, if you will, in</p> <p>17 that community.</p> <p>18 So that was definitely something that</p> <p>19 was a learning curve, if you will, for me. But once</p> <p>20 I started to own who I was and kind of like with</p> <p>21 the -- how we talked about Just Be, just be who you</p> <p>22 are and if people like you for that, cool, if not</p> <p>23 also cool. That's just kind of where I guess where</p> <p>24 I came to realize, you know, that I was attracted to</p> <p>25 females, if you will. Hopefully that makes sense.</p>	<p style="text-align: right;">Page 89</p> <p>1 at the same time there is something inward you're</p> <p>2 grappling with as well. And if I understood what</p> <p>3 you were saying, sometimes you only understand that</p> <p>4 looking back. You don't understand it at the time,</p> <p>5 right?</p> <p>6 A Right.</p> <p>7 Q So can you kind of identify for me, what</p> <p>8 timeframe would you have said you were identifying</p> <p>9 as bisexual?</p> <p>10 A So I would say from about 2015 to 2018,</p> <p>11 end of 20 -- well, honestly when I started dating</p> <p>12 Jaclyn was when I -- she was very comfortable in who</p> <p>13 she was and kind of helped me with that I don't want</p> <p>14 to say -- well, transition, of owning who I was and</p> <p>15 being okay with it, that it was okay that I only</p> <p>16 liked women and men -- women and not men. So I'd</p> <p>17 say from about 2015 to late 2017, early 2018 when I</p> <p>18 met Jaclyn was when I identified as bisexual.</p> <p>19 Q So you mentioned earlier using the Her app</p> <p>20 to look. When you posted on Her did you identify</p> <p>21 yourself as bisexual or seeking exclusively a</p> <p>22 same-sex partner?</p> <p>23 A As bisexual, I believe. You could also</p> <p>24 filter it if you were seeking females, seeking</p> <p>25 males, but at that time I feel like I was definitely</p>



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1 seeking more so females or more masculine-presenting  
2 females. But I did I believe have myself listed as  
3 bisexual, if I remember correctly.

4 Q Was Jaclyn the first person that you  
5 connected with through the app?

6 A No. There were definitely a couple  
7 others. I don't remember names or anything, but I  
8 believe I was on that app for about two or three  
9 months. And once I met Jaclyn and we started  
10 texting or whatever was when I was no longer on the  
11 app, if that makes sense. So there were other  
12 people that I met and talked with before Jaclyn, and  
13 they were all females, yeah.

14 Q Any of them you met with in-person?

15 A There was one, and she was a more  
16 masculine-presenting female. However, she was very  
17 busy with work and didn't seem very committed, if  
18 you will, or -- yeah.

19 MR. WOLNOWSKI: I just want to put an  
20 objection on the record and I'm going to  
21 clarify the objection, because it's not an  
22 objection to the form of the question. I  
23 cannot envision a scenario whereby who Ms.  
24 McMahon dated in 2017 or 2018 is in any way,  
25 shape or form relevant to any of the claims or

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1 defenses in this action. If we are going to go  
2 down a road where we are talking about Ms.  
3 McMahon's dating history, I think it's going to  
4 be prudent to have an understanding as to how  
5 this is in any way, shape or form relevant. I  
6 just want to put that on the record.

7 MR. WARD: Thank you, Counsel. I think  
8 the question had been answered, so I will move  
9 with my next question.

10 BY MR. WARD:

11 Q It sounds like Jaclyn was kind of a  
12 significant change in your life experience in many  
13 ways. It sounds like at that point, is it fair to  
14 say, you decided that you identified specifically as  
15 lesbian?

16 A Yeah, I'd say so.

17 Q I take it you still identify as lesbian,  
18 obviously?

19 A Yeah.

20 Q At what point did your self identification  
21 feed into the ways that you've worked to raise  
22 awareness? Can you connect those two pieces for me?

23 A I think just kind of like I said. For me  
24 it was a transition, or a journey, if you will, of  
25 finding where I was -- not where I was, but who I

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1 was. And I will say just to backtrack on the last  
2 one. I do generally refer to myself more so as gay.  
3 I personally feel like the term lesbian gets a bad  
4 wrap. I don't know if I'm allowed to say this, but  
5 you hear about it a lot in pornography and it's a  
6 very I feel sexualized in kind of an uncomfortable  
7 way for me. So I do refer to myself -- I will never  
8 be like, Hey, I'm Aubry and I'm a lesbian. It's  
9 more so, Hey, I'm Aubry and my wife is this, or I  
10 am -- I'll never just, you know, say, Hey, I'm a  
11 lesbian. It's more so, I'm gay or I'm in a same-sex  
12 marriage or I have a wife. The term lesbian for me  
13 is just a weird one. But, sorry, so could you  
14 repeat that question?

15 Q I appreciate you clarifying that. That's  
16 really helpful. And I apologize if my use of  
17 lesbian was --

18 A That's okay.

19 Q -- not picking up on what you were saying.  
20 I think my question was, can you explain to me how  
21 your increasing awareness of how you identified that  
22 you were gay connects with your efforts to raise  
23 awareness about LGBTQ issues?

24 A Yeah. So I think even just for I lost  
25 friends when I came out, if you will, and my family

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1 at first was not as supportive as I would have  
2 hoped. My one older sister was. My older sister,  
3 Morgan, she was supportive. My triplet sister was  
4 as well. My brother was -- my siblings were all  
5 pretty supportive. They're all very, you know,  
6 they're very faithful and have their own definitions  
7 of their Christianity. So it was never voiced to me  
8 that it was an issue for them, but I know for lack  
9 of a better word it's a hot topic in religious  
10 places.

11 So I did worry when I came out to  
12 them, because my brother especially is very  
13 religious in a sense of he really clings to his  
14 relationship, has a strong relationship, if you  
15 will, with his faith. So I did worry, but he  
16 absolutely loves Jaclyn and [REDACTED] and wouldn't  
17 want it any other way. My mom and dad, same thing.  
18 At first my mom's first worry was she wasn't going  
19 to have grandchildren. But I think that's typical  
20 for any parent that wants to be a grandma or  
21 grandpa. But there is also -- I think that was her  
22 major, what she's seen or believed, whether that be  
23 from the media or a religious aspect. Nobody in my  
24 family shunned me or said they wouldn't love me or  
25 wouldn't accept me or treated me any differently. I

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1 think it was just everybody had to go through their  
2 own process of it.

3           So I think just knowing that and  
4 hearing stories of other people in the LGBTQ  
5 community coming out, if you will. And oftentimes  
6 like we see at Timeout Youth or CALM people,  
7 teenagers, do get kicked out of their house or  
8 shunned from their families. So just my own  
9 personal experience, as well as the experiences of  
10 other friends that I've had or what I've seen, I  
11 always wanted to be an advocate, or as I mentioned  
12 with Jaclyn also wanted to be in a safe space for  
13 people to come and say, If you're straight, fine  
14 with me. If you're transgender, that's fine. We  
15 have some friends that are transgender. If you're  
16 gay or you don't know, that's fine too. If you  
17 think you're gay and then you're not, that's okay  
18 too.

19           So I think it's a hot topic because  
20 you hear a lot about it in the media and there's a  
21 lot of opinions around it, but I think I just want  
22 people to know that they're safe and loved and I'm  
23 at least not going to judge them. So that's  
24 something that I grew up with a fear of turning out  
25 gay, if you will, based off of religion, and was

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1 afraid to be referred to, you know, as the lesbian  
2 of the family or whatever, you know.

3           So I definitely think that there is a  
4 lot of fear as being part of the LGBTQ community and  
5 I even do -- like I mentioned with the flag, I still  
6 have fear. And a lot of times, even when Jaclyn and  
7 I are out in public, if I get a weird feeling from  
8 people walking by me or if we are in a more  
9 less-accepting area of town I'm afraid to, you know,  
10 hold my wife's hand. So it's like knowing those  
11 experiences -- sorry. Sorry.

12           But I'd never want somebody to feel  
13 like they're less than because of who they love.  
14 Like that shirt, "Love is a terrible thing to hate,"  
15 so from my own experiencing feeling like I'm not  
16 deserving or I'm unloveable because of something I  
17 can't control or change, I'd never want anybody to  
18 feel that way. So that's kind of why and how my own  
19 sexuality and coming to know it and accept it is  
20 something that -- and why I'm so big on advocating  
21 for mental health. Because I think a lot of mental  
22 health plays into people in the LGBTQ community,  
23 because it is scary. There is a lot of anxiety,  
24 there is depression, there's fear of abandonment.  
25 There's a lot of things that come up. Hopefully

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1 that answers at least a little bit of the question.

2           Q     Thank you for sharing that and sharing  
3 some of the pain that you experienced from that. I  
4 was thinking that I imagine E [REDACTED] must answer a  
5 lot of your mom's questions or concerns that she  
6 wouldn't have grandchildren. That must make her  
7 very happy?

8           A     Yeah. She wants us to have another, but  
9 E [REDACTED], she's wild, so we'll see. She's enough for  
10 now. But, yeah, she's great.

11           Q     You mentioned at one point that there is  
12 something that made you fearful that being gay would  
13 be a problem in your religious community. That's  
14 not the exact words you used.

15           A     Oh, yeah. I know.

16           Q     What was it that led you to have that  
17 fear? What was it about your religious community  
18 that led you to have that fear?

19           A     Like to be blunt, it's just teaching, if  
20 you will, or an interpretation that some people have  
21 of the Bible that, you know, that being gay is a sin  
22 and you're going to go to hell. And that's just  
23 something -- there is a lot of other things, you  
24 know, that I think that people have just -- I've  
25 learned that have picked and chosen parts of the

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1 Bible that they want to disagree with, and so that  
2 being one of them. But it's the same people that  
3 say, you know, you're going to go to hell if you  
4 marry someone of the same sex aren't also taking  
5 into consideration parts of the Bible that state  
6 like, you know, if your daughter has her menstrual  
7 period then you're supposed to stone her, things  
8 like that.

9           And I've learned a lot about the  
10 bible's teaching, if you will, of sins and things  
11 like that through my wife, my wife Jaclyn. So that  
12 example that I gave of, you know, you should stone  
13 your -- I think it's like stone your first-born  
14 daughter once she has her menstrual period or, you  
15 know, committing adultery or things like that I  
16 don't understand, or wearing blended clothing.  
17 Those are just examples that people don't get  
18 persecuted, if you will, for, but something such as  
19 love, if you will, has been engrained in some faith  
20 communities that will send you to hell. So that's  
21 just I think growing up I'd heard that and I don't  
22 remember where from. It could have been school. I  
23 don't know. But it was definitely a fear that I  
24 had.

25           Q     Thank you. It sounds like you have a very

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1 different understanding what the Bible says than  
2 whatever the source was that was giving you that  
3 fear?

4 A Yeah.

5 Q You mentioned your brother in particular,  
6 that he's very religious and I think you said he has  
7 a strong relationship with his faith. Does he have  
8 a different view about issues of being gay or not?

9 A To be honest, I don't know. I've never  
10 asked him. I do know that his fiancée is a -- is  
11 probably one of the most religious, if you will,  
12 people that I've ever met, which has caused anxiety  
13 for us, us as in Jaclyn and me. However, she has  
14 never, you know -- she talks with us normally, if  
15 you will, loves E [REDACTED], you know, I'm in her  
16 wedding. E [REDACTED]'s going to be the flower girl.  
17 She's never treated us any differently, and on top  
18 of that, I can validate and understand that if that  
19 is her viewpoint or opinion on marriage or  
20 relationships, according to her view of the Bible,  
21 then that's okay.

22 It doesn't impact us day-to-day. She  
23 still treats me like a human. She's -- I've never  
24 asked her like, Hey, are you supportive or does it  
25 bother you that we are gay or whatever or that

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1 E [REDACTED] has two moms or things like that. And it's  
2 never come up, but it's never had to, because, one,  
3 it doesn't really matter to me, because she treats  
4 me just as if I'm in a, not same-sex marriage, but  
5 in an opposite-sex marriage, I don't know, just in a  
6 normal marriage. Hopefully that makes sense.

7 But my brother as well, it's never  
8 come up in terms of like, Hey, do you support me?  
9 But he's never treated me as if he didn't, and so  
10 I've never, you know, pushed on the subject, because  
11 he's allowed to believe what he wants to believe and  
12 we go about our day. Just kind of like, I hate to  
13 bring it up again, but just be. He's just being in  
14 his beliefs and I'll just be in mine and we can  
15 still -- I love him to death. So hopefully -- it's  
16 kind of confusing, but hopefully that answers it.

17 Q That is helpful and your reference back to  
18 just be I think is helpful. I've been thinking like  
19 your shirts that say Love Is A Terrible Thing To  
20 Hate, you've got some principles that seem like  
21 they're fairly significant in guiding you and you're  
22 pretty much up front about them.

23 A Yeah.

24 Q Thank you. You mentioned Jaclyn was  
25 helpful with you on some biblical interpretation

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1 questions. I haven't even thought to ask. What's  
2 Jaclyn's religious background?

3 A She also did grow up in the church, if you  
4 will. I don't know what denomination, but  
5 Christianity, but I don't know like what part of the  
6 church, if you will. But her parents -- well, all  
7 of her family still goes to church and things like  
8 that. So she grew up religious and she's still  
9 supportive of it. She's definitely not as strong,  
10 if you will, in her faith as me or my family, but  
11 that's also, you know, okay with me.

12 We still go to church, she's still  
13 fine to do that, she's still fine to support me and  
14 whatnot. But I just know that she's got a lot of  
15 hate, if you will, when she came out about being --  
16 like about being gay with her family and that, so it  
17 kind of turned her away from the church. But I  
18 would say since meeting me and going to our church  
19 she's definitely a lot more open to it, because they  
20 are a lot more, like I mentioned, inclusive and  
21 diverse and things where she feels more accepted and  
22 comfortable.

23 Q So is it fair to say your faith is very  
24 important to you and her faith is probably not as  
25 important to her?

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1 A Yeah --

2 MR. WOLNOWSKI: I'm going to object as to  
3 form. Aubry, you can answer.

4 THE WITNESS: Oh. I was going to say  
5 yeah, I think that -- I think. I don't know.  
6 But it's not -- it's not really like one of  
7 those things we talk about a lot. It's just  
8 kind of like, Hey, we are going to church on  
9 Sunday, you know, that sort of thing. So,  
10 yeah.

11 BY MR. WARD:

12 Q Thank you. Let me ask just a couple of  
13 terminology questions. What's your understanding of  
14 the term sex? What does that mean? And by sex, let  
15 me actually give you a cleaner question. When we  
16 talk about things like sex and gender, so sex as a  
17 noun. What's your understanding of what sex as a  
18 noun means?

19 A I think definitely more so geared towards  
20 like anatomical, or not -- like you can have a  
21 sex -- in my opinion you can have a sex and a gender  
22 that you identify with. So E [REDACTED] is a girl  
23 because she medically speaking has a vagina, but if  
24 she grows up and says, Hey, I don't feel that way,  
25 then we'll help her in that sense. I think, you

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1 know, sex to me I think of it more as like a medical  
2 term, scientific term than anything else. And  
3 gender is where it's more of a fluid term to me.

4 Q Can you unpack for me a little more your  
5 understanding of the term gender? What do you think  
6 gender means?

7 A Just throughout being part of the LGBTQ  
8 community I've learned a lot about, like I'm sure  
9 you've heard of like pronouns. And there's like --  
10 my pronouns are she/her as well as Jaclyn's and for  
11 right now E [REDACTED]'s are her, she/her. And I think  
12 gender is just the way you feel, if you will. We  
13 have gotten a lot of -- some push back, if you will,  
14 from our family about the way E [REDACTED] dresses. For  
15 example, we are fine to put her -- I almost prefer  
16 for her to wear like boy shoes, like gray-colored  
17 shoes, black-colored shoes, because they don't show  
18 dirt as much. Or we went to the beach the summer  
19 after she was born and she wore a little pair of  
20 dinosaur swim trunks and a little tank top. But  
21 people were offended by like a boy outfit, A/K/A the  
22 swim trunks. It wasn't a gender statement. She can  
23 wear whatever she wants to wear. We don't really  
24 care.

25 So I think gender is fluid in a

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1 spectrum. If one day, you know, you want to wear  
2 basketball shorts and a T shirt and a baseball cap,  
3 sure, whatever. Whatever you feel comfortable in.  
4 Kind of goes back to the just be. Whatever makes  
5 you happy in that moment and feel at peace or, yeah,  
6 complete in a way, then that kind of is what gender  
7 is to me. Like I more so dress more feminine than  
8 Jaclyn. Jaclyn is fine to wear like combat boots,  
9 which are generally seen to be a male article of  
10 clothing, or she's fine with wearing a button-up  
11 shirt or whatnot.

12 So, yeah, all of those gender  
13 stereotypes I think coincide with how we live. We  
14 chose E [REDACTED]'s name to be gender neutral, because I  
15 personally think it's kind of dumb sometimes when  
16 people say E [REDACTED]'s a boy's name. I understand if  
17 you want to name your son Ashley or Katie, I'd be  
18 like, Okay, is there a story behind that? But I  
19 think also like in respect to that person they chose  
20 that because there was a reason. So sorry, I feel  
21 like I'm rambling now. But I think gender to me is  
22 much more fluid, it's how you want to express  
23 yourself and how you best feel you are able to  
24 express yourself, whether that be because you like  
25 dinosaurs and monster trucks or you like rainbows

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1 and floral designs. So it just I think depends on  
2 the person. Sorry, that was a long answer.

3 Q That's quite all right. Remember, you get  
4 to say what you think or what you believe, so you  
5 never have to apologize for being authentic like  
6 that. I appreciate it. Let me ask some questions  
7 in a different area now. We have talked a little  
8 bit --

9 MR. WOLNOWSKI: Sorry to interrupt. Mr.  
10 Ward, may we take a five-minute break?

11 MR. WARD: I'm thinking we should take our  
12 lunch break shortly. Do you want to take it  
13 now or take a short break and then come back  
14 and go longer and then do lunch?

15 MR. WOLNOWSKI: I need literally just two  
16 or three minutes.

17 MR. WARD: Okay. Off the record.

18 \* \* \*

19 (Whereupon, a brief recess was taken.)

20 \* \* \*

21 MR. WARD: We're back on the record at  
22 2:49 Eastern Time.

23 BY MR. WARD:

24 Q Miss McMahon, I wanted to ask some  
25 questions about your education. We have talked

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1 about it obliquely, but I'd like to kind of get it  
2 in a little bit of order. Can you walk me through  
3 your educational history just from what high school  
4 you graduated from, we can pick it up from there and  
5 talk a little bit about your education since then?

6 A Uh-huh, yep. So I graduated from Lake  
7 Norman High School. That is in Morrisville, North  
8 Carolina, where I grew up. And then from there I  
9 went to Gardner Webb University. I was there from  
10 August 2013 until March 2015. And then after that I  
11 was in treatment, took a break and then I believe  
12 around November of 2016 I started on-line at Regent  
13 University. And then I did end up realizing that I  
14 was terrible at on-line school.

15 I'm a lot better in person, so from  
16 there I transferred again to it's called Wingate  
17 University, W-I-N-G-A-T-E. That's located in  
18 Monroe, North Carolina. And there I was mostly  
19 in-person until COVID and then -- but I did commute.  
20 I didn't live on campus, because at that time I  
21 lived with Jaclyn. But then with COVID it went --  
22 all the classes went on-line and then I graduated  
23 from there with my Bachelor's Degree in psychology I  
24 believe it was December of 2020. Hopefully that  
25 answered it.

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<p style="text-align: right;">Page 106</p> <p>1 Q I think that did. I have to put all the</p> <p>2 dates together in my brain. So you said you</p> <p>3 graduated with a Bachelor's Degree in psychology in</p> <p>4 2020?</p> <p>5 A Yes.</p> <p>6 Q What made you decide to go to Gardner Webb</p> <p>7 University?</p> <p>8 A Gardner Webb, originally my triplet sister</p> <p>9 received a full ride there, because she's really</p> <p>10 smart. And so we had gone to tour the campus</p> <p>11 together and so I loved the campus, I loved the idea</p> <p>12 of being close-by to my sister. We were also</p> <p>13 sharing a minivan at the time, so that was very</p> <p>14 helpful in a sense of logistically moving into</p> <p>15 college and then it was also about an hour and a</p> <p>16 half from home. So while at Gardner Webb we shared</p> <p>17 the minivan and I just kind of wanted to be close to</p> <p>18 my sister. And my brother stayed home from college.</p> <p>19 And I didn't really get a good feeling about any</p> <p>20 other colleges that I had toured. I loved Gardner</p> <p>21 Webb because it's a smaller school. I need that</p> <p>22 small classroom sitting versus like a lecture hall.</p> <p>23 I do a lot better in those type of learning center</p> <p>24 situations. So that was a big deciding factor.</p> <p>25 Gardner Webb had a lot of like</p>	<p style="text-align: right;">Page 108</p> <p>1 really motivated to learn and get college over with.</p> <p>2 So I wanted somewhere that felt safer in a sense</p> <p>3 where -- and I'm not saying everybody that went to</p> <p>4 Gardner Webb and was level-headed and behaved great</p> <p>5 and all that.</p> <p>6 But I felt like with a more religious</p> <p>7 directed school, if you will, there were definitely</p> <p>8 people that had -- I don't know, were more communal</p> <p>9 and versus, like I mentioned, people that are there</p> <p>10 just to party and, you know, have that sort of</p> <p>11 college experience, which I was not looking for. I</p> <p>12 was also very afraid or nervous to go off to school,</p> <p>13 if you will. So I wanted somewhere where I felt</p> <p>14 safe and like my best interest was looked out for.</p> <p>15 So, yeah.</p> <p>16 Q That's helpful. What made you decide not</p> <p>17 to keep attending Gardner Webb?</p> <p>18 A That was when -- originally was because of</p> <p>19 the eating disorder and then I had to go to</p> <p>20 treatment, but then I chose not to go back to</p> <p>21 Gardner Webb, because I felt like it was almost a</p> <p>22 triggering place. There is a big quote in the</p> <p>23 recovery community from anything was, don't go back</p> <p>24 to the place that you were sickest. So I was afraid</p> <p>25 that if I returned I would go back into the habits</p>
<p style="text-align: right;">Page 107</p> <p>1 mission opportunities as well, so helping the</p> <p>2 community around Gardner Webb. They also did a lot</p> <p>3 of kind of youth group feeling activities. So like</p> <p>4 they would have various performers come, they had</p> <p>5 Christian bands. We did a thing I believe it was</p> <p>6 once a week in the gym where they had a little kind</p> <p>7 of sermon type thing as well as they had various</p> <p>8 speakers come to tell their stories and things like</p> <p>9 that. So I did love just the overall community</p> <p>10 feeling of Gardner Webb and that it was smaller,</p> <p>11 yeah.</p> <p>12 Q I think you said earlier that Gardener</p> <p>13 Webb is Baptist in some way or affiliated with the</p> <p>14 Baptist Church?</p> <p>15 A Yeah, I'm almost 90 percent positive they</p> <p>16 are more affiliated with the Baptist Church, but I'm</p> <p>17 not a hundred percent sure. But they are like a</p> <p>18 religious, if you will, school.</p> <p>19 Q So it sounds like you were actually</p> <p>20 looking for a religious school; is that right?</p> <p>21 A Yeah. I mean I wanted -- I was definitely</p> <p>22 uniquely someone that was afraid of the typical</p> <p>23 college campus, like lots of partying, lots of</p> <p>24 drugs. That didn't interest me. I didn't want to</p> <p>25 have that college experience. At that point I was</p>	<p style="text-align: right;">Page 109</p> <p>1 of over-exercising and things like that. It was</p> <p>2 that mostly I would say that stopped me from</p> <p>3 returning there, yeah.</p> <p>4 Q That's very understandable. So you took a</p> <p>5 break it sounds like for about a year and a half</p> <p>6 almost; is that right?</p> <p>7 A Yeah. I at that point moved to the</p> <p>8 Charlotte, Charlotte area. So Morrisville, where I</p> <p>9 grew up, is about 30, 45 minutes north of Charlotte,</p> <p>10 so I moved into Charlotte. And I also got a dog.</p> <p>11 So at that point I transitioned to living on my own,</p> <p>12 I had a dog and I also got my own car, because my</p> <p>13 sister had the minivan. So I got my own car at the</p> <p>14 time and I started nannying for a family that had</p> <p>15 triplets.</p> <p>16 So I nannied for them in that period</p> <p>17 of time just to start paying off some student loans</p> <p>18 I had from Gardner Webb, but I also didn't feel like</p> <p>19 I was in a place where I was ready to get back to</p> <p>20 school. I still wanted to work on the mental health</p> <p>21 and make sure that was all good to go, if you will,</p> <p>22 before I jumped back into school, which is generally</p> <p>23 known as stressful. During that little break I did</p> <p>24 that, yeah.</p> <p>25 Q That's cool that you were nannying</p>

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<p style="text-align: right;">Page 110</p> <p>1 triplets. That must have brought back memories for 2 you?</p> <p>3 A Yeah, it was fun. And something I told 4 the parents was, yes, they are triplets, and I'm 5 sure you know with twins, they're very different. I 6 think people always assumed that me and my siblings 7 would be the same. People would ask if my sister 8 and I are majoring in the same thing in college and 9 I was like, no, because we are two very different 10 people. That's something with the triplets' moms, 11 they're actually a same-sex couple. Something with 12 their moms that I told them was treat them as 13 individuals. Yeah, they're triplets but they're 14 three very different humans. So, yeah, it was a lot 15 of fun but also chaotic.</p> <p>16 Q I can understand. We joke in our family 17 with twins that there was a point where we had to 18 switch to zone defense because we couldn't keep an 19 eye on both of them playing person to person defense 20 all the time. You mentioned the moms were actually 21 a same-sex couple. Was that your first time 22 spending a lot of time with a same-sex married 23 couple?</p> <p>24 A Kind of. And I actually didn't know 25 anything until the job interview that they were a</p>	<p style="text-align: right;">Page 112</p> <p>1 Q Let me ask now a little bit -- I think you 2 said that after this break you then started doing 3 on-line school at Regent University. What led you 4 to pick Regent University?</p> <p>5 A My therapist at the time, because I was in 6 therapy, she graduated from Regent and knew that I 7 wanted, like I said, a school with a Christian 8 philosophy, if you will. And so that's when she 9 told me, like, I graduated from Regent. You can 10 check it out, that sort of thing. So I don't 11 remember the exact process, but I applied and then 12 started there doing on-line. But, yeah, so it was 13 mostly my therapist that introduced me to it, but 14 also from a standpoint of feeling like it would be a 15 good fit for me with my previous like experience, if 16 you will, at Gardner Webb and wanting to find 17 another university with that same kind of community 18 feel, if that make sense.</p> <p>19 Q Did you consider going there in-person at 20 some point or was it always going to be on-line?</p> <p>21 A I think it was always for me going to be 22 on-line. I felt weird going -- I don't know. I had 23 a lot of shame of not graduating on time, so I 24 didn't want to be there older than I was supposed to 25 be but only a sophomore. So if that make sense and</p>
<p style="text-align: right;">Page 111</p> <p>1 same-sex couple. The ad, if you will, that they 2 were searching for a nanny was posted on a website 3 called Care Com. So I don't remember the exact ad, 4 but basically they were triplets and so I thought 5 that was really cool, so I applied. And when I went 6 to meet them I met one of the moms at the door and 7 the other mom was getting stuff together for the 8 babies. And then during the interview they asked if 9 I was okay that they were a same-sex couple, and I 10 said yes, that's fine.</p> <p>11 And so it was never introduced to me 12 that it was a same-sex couple, so going into the 13 interview I was like, okay, cool. But then -- so 14 they were my first like experience in that sense, 15 but growing up I had one of my cousins is -- well, 16 she's bisexual, but at the time she dated a female 17 and we have a beach trip we go on every year. So 18 her partner would come with her every year, so we 19 knew her. And my triplet sister Madison had like a 20 huge connection with that person. So I did know 21 here and there people that were gay, but the 22 triplets for the most part were the first married 23 adult, you know, gay people that I had been around.</p> <p>24 Q Did you identify yourself to them as gay?</p> <p>25 A Yeah, uh-huh.</p>	<p style="text-align: right;">Page 113</p> <p>1 kind of like I had mentioned about Gardner Webb, I 2 really just wanted to get school over with, get my 3 degree. Not that I didn't want to go through to 4 make friends, but I guess I didn't -- I wasn't -- 5 that wasn't my main objective. I just wanted to 6 find a place that I felt like I could fit in terms 7 of within the school and then -- or like a school 8 that would care about me, if you will, and then 9 finish my degree. So it was pretty much all me 10 wanting to do it on-line.</p> <p>11 Q You said at one point you realized you 12 were terrible at on-line school. How far were you 13 into your Regent University education that you 14 realized that you were terrible at on-line school?</p> <p>15 A I think it was two semesters in and then 16 decided that I needed to transfer, yeah, really just 17 because I am more of a visual learner, a hands-on 18 learner, I have to sit in the classroom kind of 19 thing. It helps me feel more organized, so that's 20 why I was wanting to seek out somewhere I could go 21 to in-person.</p> <p>22 Q What led you to decide to go to Wingate?</p> <p>23 A Wingate is also one of those small 24 schools, small town, small classrooms. They have a 25 lot of -- outside of just normal classroom learning</p>



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<p style="text-align: right;">Page 114</p> <p>1 they have other learning opportunities, even if you</p> <p>2 just commute, which is what I did. They had a lot</p> <p>3 of different almost like the Gardner Webb feel,</p> <p>4 where I mentioned how once a week they would have</p> <p>5 that devotion time where they had a speaker or a</p> <p>6 band or whatever, Wingate also had that and they did</p> <p>7 require you to go to it. And you could go to extra</p> <p>8 ones if you wanted to.</p> <p>9         So I applied there and applied for</p> <p>10 financial aid and I got a good scholarship for</p> <p>11 Wingate, so it felt right. And when I went, weirdly</p> <p>12 enough I didn't feel judged by them for being older,</p> <p>13 if you will, than I should have been, as well as the</p> <p>14 fact that at that time -- for part of the time I was</p> <p>15 at Wingate I was engaged, so conversations would</p> <p>16 come up about like Jaclyn or that I was in a</p> <p>17 same-sex relationship. And I never felt judged</p> <p>18 there about that. So that was good. It felt like a</p> <p>19 very judgment free zone, if you will. And all the</p> <p>20 professors were great, very supportive, so yeah.</p> <p>21         Q     Do you know if Wingate had any sort of</p> <p>22 official position on things like that? Like how</p> <p>23 affirming were they?</p> <p>24         A     I don't know actually, but I -- there was</p> <p>25 a class I took. I don't remember the exact name of</p>	<p style="text-align: right;">Page 116</p> <p>1 public schools or were they in private schools?</p> <p>2         A     Public.</p> <p>3         Q     Those were all public and then it was only</p> <p>4 at the college point you decided you wanted to go to</p> <p>5 a religious school?</p> <p>6         A     Yeah, weirdly enough.</p> <p>7         Q     Or not so weirdly. That makes some sense.</p> <p>8         MR. WARD: I think we are at a convenient</p> <p>9 point to take a break. Off the record at</p> <p>10 1:08 p.m.</p> <p>11                 * * *</p> <p>12                 (Whereupon, a brief lunch recess was taken.)</p> <p>13                 * * *</p> <p>14         MR. WARD: We are back on the record at</p> <p>15 1:48 p.m.</p> <p>16 BY MR. WARD:</p> <p>17         Q     Miss McMahon, thank you. I hope you had a</p> <p>18 good lunch break. May I ask how you spent your</p> <p>19 lunch break?</p> <p>20         A     I threw the ball outside for our dogs</p> <p>21 because I have them in our bedroom right now. We</p> <p>22 have a one-story house. I don't know if you can</p> <p>23 hear them bark. But they do have a tendency to</p> <p>24 bark, so we have them in our room. So I threw the</p> <p>25 ball with them and then had a quick peanut butter</p>
<p style="text-align: right;">Page 115</p> <p>1 it, but it was taught by a religion professor and</p> <p>2 also a psychology professor and a lot of that class</p> <p>3 was about learning about different religions, what</p> <p>4 they believe, kind of comparing them, that sort of</p> <p>5 thing. And in that class there were people that</p> <p>6 were very strict on their biblical views and also</p> <p>7 people like me that were like, you know, more fluid,</p> <p>8 if you will, and if you want to believe that, sure,</p> <p>9 that sort of thing. So like that was the only</p> <p>10 experience that I got from people or students or</p> <p>11 staff or whatever being more religious in the</p> <p>12 classroom setting, but nothing that I know of beyond</p> <p>13 that.</p> <p>14         Q     That's helpful. Thanks. Let me just ask</p> <p>15 a couple clarifying questions and then we may be at</p> <p>16 a point to take our lunch break for everybody's</p> <p>17 sake. I've been assuming that you've been referring</p> <p>18 to when you say Regent University that that's the</p> <p>19 one in Virginia Beach; is that right?</p> <p>20         A     Uh-huh, yeah.</p> <p>21         Q     There is a Regent College in Vancouver,</p> <p>22 Canada that I've visited a few times, but opposite</p> <p>23 coasts. I started you with high school, but I</p> <p>24 forgot to ask you. Your early education, so</p> <p>25 elementary school through high school, were they in</p>	<p style="text-align: right;">Page 117</p> <p>1 sandwich and now I'm here.</p> <p>2         Q     Sounds like a great way to spend the</p> <p>3 break. Thank you. Just to close off on education,</p> <p>4 so you received a Bachelor's in Psychology in</p> <p>5 Wingate. I noticed in your resume, and I'm going to</p> <p>6 put that in in a couple minutes, and you have some</p> <p>7 other certifications. But I wanted to ask, have you</p> <p>8 pursued other post-secondary education beyond your</p> <p>9 Wingate degree?</p> <p>10         A     Not right now. I do want to possibly in</p> <p>11 the future. I'm kind of in like 50/50 for me. I'm</p> <p>12 lucky to have found a job where, you know, I love</p> <p>13 what I do and I get that sense of -- I have that</p> <p>14 sense of purpose and all that. So I feel like I'm</p> <p>15 content right now with where I am, because the</p> <p>16 thought of taking on more student loans is not very</p> <p>17 appetizing right now. I'm just kind of waiting. I</p> <p>18 feel like I'm happy in the spot that I am now.</p> <p>19 Eventually if I feel like I want to do more or could</p> <p>20 do more or whatnot, then I will pursue that for</p> <p>21 sure.</p> <p>22         Q     I did want to ask you, you've identified</p> <p>23 at various points different certifications or</p> <p>24 qualifications that you have that are clearly beyond</p> <p>25 high school, they're a higher level. Could I</p>

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<p style="text-align: right;">Page 118</p> <p>1 trouble you to briefly list for me what those are?</p> <p>2 A So I know I was a Certified Nursing</p> <p>3 Assistant. I did not renew that, because that I</p> <p>4 received that in high school, but I felt like, like</p> <p>5 I said, I didn't really want to be a nurse. So I</p> <p>6 continued -- chose not to renew that, continued with</p> <p>7 more mental health type certifications, like the</p> <p>8 QPR, suicide prevention, mental health first aid,</p> <p>9 your basic CPR just for general people first aid.</p> <p>10 Did I say first aid? Just general first aid, not</p> <p>11 mental health first aid, but also general first aid.</p> <p>12 I'm trying to think of what else. Those were the</p> <p>13 main ones. Yeah, those are the ones I can think of</p> <p>14 off the top of my head.</p> <p>15 Q Thank you.</p> <p>16 MR. WARD: Off the record just for a</p> <p>17 second.</p> <p style="text-align: center;">* * *</p> <p>18 (Whereupon, a brief off-the-record</p> <p>19 discussion was held.)</p> <p style="text-align: center;">* * *</p> <p>22 BY MR. WARD:</p> <p>23 Q Ms. McMahon, I asked you about additional</p> <p>24 education and certifications and you had identified</p> <p>25 your nursing certificate. Were there other</p>	<p style="text-align: right;">Page 120</p> <p>1 other end and work through your employment history.</p> <p>2 But to do that, let me put into evidence an exhibit</p> <p>3 that may help make that a little bit easier. I</p> <p>4 believe this should be marked as Exhibit 6.</p> <p style="text-align: center;">* * *</p> <p>6 (Whereupon, the above-mentioned</p> <p>7 document was marked for</p> <p>8 identification as Exhibit-6.)</p> <p style="text-align: center;">* * *</p> <p>10 BY MR. WARD:</p> <p>11 Q Ms. McMahon, once you have that document</p> <p>12 please take a minute and look at it.</p> <p>13 A Okay.</p> <p>14 Q Let me know whenever you're done.</p> <p>15 A Okay.</p> <p>16 Q Ms. McMahon, do you recognize this</p> <p>17 document?</p> <p>18 A I do.</p> <p>19 Q What is it?</p> <p>20 A I believe it was my resume at the time</p> <p>21 that I applied for the job with World Vision.</p> <p>22 Q Is this a true and accurate copy of the</p> <p>23 document that you just referred to?</p> <p>24 A Yeah.</p> <p>25 Q So you noted it's at the time you applied</p>
<p style="text-align: right;">Page 119</p> <p>1 additional post-secondary educational certificates</p> <p>2 or qualifications you obtained?</p> <p>3 A So the only ones that I can think of off</p> <p>4 the top of my head were the mental health first aid,</p> <p>5 QPR, suicide prevention, general first aid, general</p> <p>6 CPR and then for the mental health it's a nonviolent</p> <p>7 crisis intervention training, some learning how to</p> <p>8 do psychiatric holds. If a patient gets violent or</p> <p>9 anything, putting them in a hold, essentially. So</p> <p>10 that was another one that I also just remembered I</p> <p>11 had. I think those are the only ones.</p> <p>12 Q Thank you. I want to talk a little bit</p> <p>13 now about your employment history, if that's all</p> <p>14 right. Let me begin by asking, are you currently</p> <p>15 employed?</p> <p>16 A I am.</p> <p>17 Q Who is your current employer?</p> <p>18 A Atrium, A-T-R-I-U-M, Health. It's a big</p> <p>19 healthcare system in the North Carolina area and</p> <p>20 also Georgia.</p> <p>21 Q When did you start working for Atrium</p> <p>22 Health?</p> <p>23 A I started working for them I believe it</p> <p>24 was March 14th of 2022.</p> <p>25 Q What I'd like to do is now start at the</p>	<p style="text-align: right;">Page 121</p> <p>1 to World Vision. So I take it that means this is</p> <p>2 current through the end of November 2020; is that</p> <p>3 correct?</p> <p>4 A Yeah.</p> <p>5 Q If you don't mind, let's quickly walk</p> <p>6 through the different positions listed. Obviously I</p> <p>7 don't want to spend time asking you questions if we</p> <p>8 have got this in document form. I want to know if</p> <p>9 there are any gaps or employment history that</p> <p>10 doesn't show up on this resume. Let's begin. I</p> <p>11 believe the first work experience that you list on</p> <p>12 your resume is actually on -- begins on Page two</p> <p>13 with the Cleveland County Wellness Center and it</p> <p>14 says you began as a medical office administrative</p> <p>15 assistant in August 2013. Is that -- sorry, go</p> <p>16 ahead. Is that your first post-high school</p> <p>17 employment experience?</p> <p>18 A Yes.</p> <p>19 Q You were with -- in that position until</p> <p>20 March 2015. What led to your leaving that position?</p> <p>21 A Cleveland County is a county that Gardner</p> <p>22 Webb University is in. So while I was a student I</p> <p>23 worked at their wellness center, A/K/A their gym,</p> <p>24 kind of, sort of, place. So I began there once I</p> <p>25 started school there and left there once I went to</p>



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<p style="text-align: right;">Page 122</p> <p>1 treatment. So those dates aligned, if you will.</p> <p>2 Q What was your next job after that?</p> <p>3 A So after that I did the childcare</p> <p>4 position, the lead childcare aid one. That was at a</p> <p>5 local daycare. At that time I was living -- I had</p> <p>6 come home from treatment, was living with my parents</p> <p>7 still and did that job -- mostly worked -- it was</p> <p>8 definitely part-time. So they did like a summer</p> <p>9 camp, so I worked that and then worked various</p> <p>10 weekends either when I was home from college or it</p> <p>11 was kind of a weird transitional period. I started</p> <p>12 while in college, so I would work when I came home</p> <p>13 for a long break or long weekends. And I continued</p> <p>14 to work there when I came home from treatment. I</p> <p>15 came home from treatment in June and then worked</p> <p>16 there until that says September 2015.</p> <p>17 And at that point I had gotten, I</p> <p>18 believe, the nanny position, but the nanny position</p> <p>19 was part-time. It was not -- it was paid in cash,</p> <p>20 which was why it's not on my resume. But I do have</p> <p>21 a letter of verification, if you will, from that</p> <p>22 employer or from the moms, because I did need it for</p> <p>23 housing. So I do have a letter from them stating</p> <p>24 that I worked for them. I didn't list it on my</p> <p>25 resume, because it can't be tracked like</p>	<p style="text-align: right;">Page 124</p> <p>1 was working part-time at the marketing position and</p> <p>2 part-time nannyng. So I believe it would have been</p> <p>3 November of 2015 that I started that job.</p> <p>4 Q That you started?</p> <p>5 A Yeah. Yeah. Then so November 2015 until</p> <p>6 the January of 20 -- I believe 2019 when I was</p> <p>7 offered the full-time position with SBN.</p> <p>8 Q Thank you. What was your salary in the</p> <p>9 full-time position at SBN?</p> <p>10 A I believe it was \$32,000 a year.</p> <p>11 Q \$32,000 a year. Does that include</p> <p>12 benefits or were benefits additional?</p> <p>13 A So at that point I didn't need benefits,</p> <p>14 because I was still under my parents' health</p> <p>15 insurance, if that's what you're referring to as</p> <p>16 benefits. I didn't need any benefits. I don't know</p> <p>17 if they were -- honestly, I know they didn't have --</p> <p>18 offer full benefits, but I think they had a</p> <p>19 partnership with like Aflac, where you could sign up</p> <p>20 for life insurance through them or something of that</p> <p>21 nature. But like I said, I didn't need benefits at</p> <p>22 that time, so I didn't do it.</p> <p>23 Q Prior to being full-time, when you were</p> <p>24 part-time, what was your compensation from SBN?</p> <p>25 A I believe it was \$15 an hour or I think</p>
<p style="text-align: right;">Page 123</p> <p>1 financially.</p> <p>2 Then I also worked part-time at the</p> <p>3 SBN, which is a commercial real estate agency in the</p> <p>4 Charlotte area. I started that April working</p> <p>5 part-time while I was also nannyng. And what led</p> <p>6 me to leave the nannyng position, I left in January</p> <p>7 of 2019, because I was offered a full-time position</p> <p>8 working at the SBN location until March of 2020,</p> <p>9 when COVID started, essentially.</p> <p>10 Q So the full-time position at SBN was</p> <p>11 January 2019 to March of 2020 and prior to that it</p> <p>12 was part-time. Correct?</p> <p>13 A Yeah. Yeah.</p> <p>14 Q Then it was helpful you explained the</p> <p>15 overlap. So we've got overlap with the wellness</p> <p>16 center and the daycare for a stretch, and then</p> <p>17 overlap with SBN when it was part-time?</p> <p>18 A Yes.</p> <p>19 Q What were the dates for your working as a</p> <p>20 nanny for the moms of the triplets?</p> <p>21 A I believe I started with them in November.</p> <p>22 I know it was in November, because it was right</p> <p>23 around my birthday, but I'm trying to think. I</p> <p>24 don't recall what year, but that position overlapped</p> <p>25 with the marketing position, like I said, because I</p>	<p style="text-align: right;">Page 125</p> <p>1 that -- I don't a hundred percent remember, but I</p> <p>2 think it was \$15 an hour.</p> <p>3 Q Purely on an hourly basis since you were a</p> <p>4 part-time employee; is that correct?</p> <p>5 A Yeah.</p> <p>6 Q Then just going back, I guess, the last</p> <p>7 sort of meaningful full-time position, your medical</p> <p>8 office administrative assistant position with</p> <p>9 Cleveland County Wellness Center, what was your</p> <p>10 compensation in that position?</p> <p>11 A That was part-time as well and I believe</p> <p>12 the pay, it was either 10 or \$12 an hour. I want to</p> <p>13 say it was \$10 an hour.</p> <p>14 Q No benefits, I assume?</p> <p>15 A No.</p> <p>16 Q So March of 2020 comes and your job at SBN</p> <p>17 ends. What was the reason it ended?</p> <p>18 A The company ended up being sold. Sold?</p> <p>19 Yeah, sold. And then already had a marketing</p> <p>20 representative that did work. So SBN is an</p> <p>21 international corporation, but I worked for one of</p> <p>22 the franchises, if you will. So the franchise was</p> <p>23 sold to one I believe in South Carolina and they</p> <p>24 already had a marketing rep, so they wanted to keep</p> <p>25 that person and then I was essentially let go.</p>

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1 Q Was there any severance provided or  
2 compensation related to being let go?  
3 A No, not that I recall.  
4 Q I take it the termination was not because  
5 of anything you had done. It was because your  
6 position was eliminated; is that correct?  
7 A Yeah. And I think, yes, so the position  
8 was eliminated, but even then they were moving into  
9 South Carolina grounds, if you will. So that's not  
10 somewhere I would have really wanted to commute.  
11 Q Understandable. So what did you do for  
12 employment after March 2020?  
13 A So then COVID hit and I was on  
14 unemployment. I guess -- I don't know if that could  
15 be considered the severance pay, but I was on  
16 unemployment because of COVID but I think it also  
17 linked to that company. I don't really know how it  
18 really worked or if that company was paying  
19 unemployment, but I was on unemployment at that time  
20 and actively searching for a job. Because I  
21 remember at that time you had to submit a certain  
22 amount that you were searching for a certain amount  
23 of jobs a week or whatnot, so I do remember having  
24 to validate that. If you will. But you're anything  
25 beyond that. But I do know I was actively searching

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1 for employment and then around that time was also  
2 when I got pregnant with [REDACTED].  
3 Q And when you got pregnant with [REDACTED] did  
4 that change your intentions about looking for work?  
5 A Not really. I did want to find something.  
6 I was offered a position at a place, a local place  
7 called Turning Point. They help community members  
8 in domestic violence situations, so I was offered a  
9 position there but declined it because the pay was  
10 not -- it was just not -- we wouldn't have been able  
11 to survive. It was like 28,000 a year, which I  
12 definitely couldn't make work. So I was trying to  
13 find something in the pay range that I was looking  
14 for, but that also, you know, I felt like would be a  
15 good fit for me.  
16 Q I'm going to introduce another exhibit I  
17 think we'll mark as Exhibit 7. If you would review  
18 it when you get it and let me know when you're done.  
19 \* \* \*  
20 (Whereupon, the above-mentioned  
21 document was marked for  
22 identification as Exhibit-7.)  
23 \* \* \*  
24 THE WITNESS: Okay.  
25

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1 BY MR. WARD:  
2 Q Do you recognize this document?  
3 A I do.  
4 Q What is it?  
5 A I believe it looks like it was the -- I  
6 don't want to say invoice, because that's not right,  
7 but the employment benefits that I received at the  
8 time that I qualified for unemployment.  
9 Q I notice in looking at this document that  
10 it starts in March 2020 and runs through March 2021.  
11 Is that the period that you were on unemployment  
12 compensation?  
13 A Yes.  
14 Q And why did it conclude in March 2021?  
15 A March 2021 was when I had -- well, I had  
16 [REDACTED] on March 6th of 2021 and then I believe the  
17 COVID unemployment benefit ended. So I was  
18 technically giving myself maternity leave, if you  
19 will, and then I began working again that May of  
20 2021. But it ended, I believe it was due to the  
21 COVID benefit, if you will, ending.  
22 Q In other words, there was a special  
23 unemployment benefit that concluded, you had been  
24 receiving it and it was no longer available; is that  
25 right?

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1 A Yeah, from what I can remember.  
2 Q So were you completely unemployed from  
3 March 2020 until May of 2021?  
4 A Yes.  
5 Q Just to close the loop on this, so this is  
6 a true and correct copy of the unemployment listing  
7 that you identified previously?  
8 A Yes.  
9 Q Let's talk a little bit now about what  
10 came next. In May of 2021 you applied for and  
11 received employment in a new position. What company  
12 was that with?  
13 A That was with the Queen City Counseling  
14 and Consulting.  
15 Q When you --  
16 A Pardon.  
17 Q Sorry, please go ahead.  
18 A I was hired there -- I don't remember the  
19 exact date in May, but it was May of 2021, yeah.  
20 Q When did you apply to work there?  
21 A So I believe actually in March, but -- I  
22 want to say it was in March, but one of the managers  
23 of the -- of that location was on maternity leave,  
24 so they took a while to get back to me. So it was a  
25 lot of phone tag, E-mail tag, waiting for an

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1 interview, and I believe I interviewed with them in  
2 April and then got the official offer to start. I  
3 don't remember when I got the official offer, but I  
4 did counter the offer for compensation and they  
5 accepted. So I know that was like a little bit of a  
6 hump of time. But, yeah, I believe the initial  
7 hiring process began in late March or, yeah, I'll  
8 say late March. I can't remember exactly. And then  
9 I was hired that May.

10 Q If I can ask one more question about that,  
11 what is your compensation from Queen City?

12 A That I believe started at \$15 an hour and  
13 ended at either 16 or 17. I can't remember.

14 Q Are you -- I believe you said you're no  
15 longer currently employed by them?

16 A Correct.

17 Q So at the time you ended you were at \$17  
18 an hour?

19 A Yeah, I believe so. Yeah.

20 Q So if I can move us back to that  
21 March 2020 timeframe when the SBN employment ended,  
22 at what point did you experience the health  
23 complications with your pregnancy with E [REDACTED] that  
24 led to the difficult experience of significant  
25 vomiting?

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1 A So that, I believe my first hospital visit  
2 because of that was in August, early August. So  
3 that's kind of when it began. I don't remember  
4 exactly like what week pregnant I was or anything,  
5 but I believe my first hospital visit was August of  
6 2020 for that.

7 Q August 2020. Thank you. Between  
8 March 2020 and August 2020 were you looking for  
9 employment?

10 A I believe so, but I was also at that time  
11 still finishing my degree. So to be honest, I can't  
12 remember. I know I did take classes that summer,  
13 because I wanted to be done with school and  
14 graduated by the time E [REDACTED] was born, which would  
15 make the graduation date in December of 2020. So I  
16 know I took classes. I may not have worked. I do  
17 know with financial aid and loans there was always  
18 some leftover money, if you will, that I could use  
19 for bills if I needed to. So I believe that's what  
20 I did, but I don't remember exactly.

21 Q So between March and August 2020 do you  
22 remember applying to any jobs?

23 A No. But now that you say that, I did  
24 nanny for a family. The mom was a dance teacher and  
25 so over the summer they had dance camp or whatever.

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1 So I watched her two children that summer, but  
2 again, it was paid in cash, so not technically  
3 legal. I don't know.

4 Q So when did you next apply for any sort of  
5 job?

6 A I next applied -- I had done the nanny  
7 job. I started applying when I knew that I was  
8 going to be graduating soon, because I could  
9 officially say that I had my Bachelor's Degree,  
10 which was a lot of -- or requirement for a lot of  
11 positions. So I believe maybe back to like October  
12 or November of 2020, yeah.

13 Q Can you please list for me all the  
14 employers you applied to for jobs once you began  
15 applying again?

16 A Oh, geez. I don't know -- I don't  
17 remember the specific employers, but I do know it  
18 was just -- it was on Indeed.com. That's my main  
19 search engine, if you will, for jobs. So there were  
20 a lot of jobs with similar fields, either with  
21 entry-level case management or customer service rep  
22 or administrative assistant, office manager type  
23 jobs, things that I had had previous experience  
24 with.

25 I didn't really want to do childcare

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1 anymore, because I knew I was having a child and I  
2 wanted to focus my energy on her. To me it felt  
3 weird if I was going to apply for a daycare role. I  
4 knew I was going to need a break from kids, so I  
5 didn't want any of those jobs. But a lot of the  
6 jobs were more so people-focused, if that makes  
7 sense. I don't remember exactly who or what I  
8 applied for, but they were a lot of -- in that  
9 realm.

10 Q Do you remember about how many? For  
11 example, was it more than five, less than five?

12 A It had to be at least like 50. A lot,  
13 yeah.

14 Q Did you apply for all of them through the  
15 Indeed.com website?

16 A I believe they were through Indeed or  
17 sometimes they will make you go to their external  
18 site to do an application on their website. So if  
19 anything it was all through Indeed unless I had to  
20 do it through something else. But it was a lot  
21 easier to just do it through Indeed.

22 Q And out of all those applications, how  
23 many of them took further steps after you applied,  
24 such as interviewing you or soliciting further  
25 information?

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<p style="text-align: right;">Page 134</p> <p>1 A I would say at least -- at least 10 or 15.</p> <p>2 One being that Turning Point that I mentioned and</p> <p>3 then I know there was another sales one for like a</p> <p>4 healthcare company, but I can't do sales. I'm not</p> <p>5 that type of person. The money was probably going</p> <p>6 to be great, but nah. So I do know at least those</p> <p>7 are two that I can at least remember and I did a</p> <p>8 couple phone interviews, or I don't know what they</p> <p>9 called them, like a mini interview, like a screening</p> <p>10 almost for a couple companies. But either the</p> <p>11 compensation wasn't great or I would have to travel</p> <p>12 into uptown Charlotte, which I didn't want to do,</p> <p>13 just based off of the pregnancy complications. And</p> <p>14 then that was part of the reason why I left Queen</p> <p>15 City counseling, was because of the commute and it</p> <p>16 was just not making sense in terms of like</p> <p>17 compensation and all that. So I wanted to find</p> <p>18 something that felt like I would fit their needs and</p> <p>19 they would fit fine, if that makes sense.</p> <p>20 Q Did I hear correctly these applications</p> <p>21 were of the November 2020 timeframe?</p> <p>22 A Yeah.</p> <p>23 Q Do you remember any of the other</p> <p>24 employers? You've mentioned a couple, but any more</p> <p>25 that come to mind?</p>	<p style="text-align: right;">Page 136</p> <p>1 A No. In the beginning -- it's hard to get</p> <p>2 diagnosed with hyperemesis, because a lot of times</p> <p>3 it's before the first trimester, which I believe is</p> <p>4 up until 12 or 13 or 14 weeks pregnant it's just</p> <p>5 considered morning sickness. Then you have the</p> <p>6 doctors telling you, oh, it will be over soon and</p> <p>7 then it's not over. So at that point I was kind of</p> <p>8 in it for the long haul. I will say towards the end</p> <p>9 of my pregnancy it did ease up a little bit in terms</p> <p>10 of I was maybe vomiting twice a day. But I had</p> <p>11 other uncomfortable symptoms, such as, you know,</p> <p>12 when I would vomit I would have incontinence. And</p> <p>13 so that was something where I didn't want to work</p> <p>14 somewhere where I was going to essentially pee my</p> <p>15 pants.</p> <p>16 So I knew that that job-wise was kind</p> <p>17 of taking stuff off the table, because, one, that's</p> <p>18 embarrassing, two, I don't know if there's</p> <p>19 accommodations for that. It just kind of is what it</p> <p>20 is. Towards the end of my pregnancy, when I started</p> <p>21 looking for jobs, that's why I wanted something that</p> <p>22 was going to be either work from home or not very</p> <p>23 physically demanding. Because a lot of times it was</p> <p>24 hard for me to even take the dogs for a walk or</p> <p>25 throw the ball for them. So, yeah, hopefully that</p>
<p style="text-align: right;">Page 135</p> <p>1 A One I believe was with our -- one of</p> <p>2 our -- in Charlotte there's two main hospital</p> <p>3 systems. One is Atrium Health, which I currently</p> <p>4 work for, and the other is called Novant Health.</p> <p>5 For one of them, I don't remember which, there was a</p> <p>6 job position as like a laundry tech or like I don't</p> <p>7 want to say tech, but for linens. So for the</p> <p>8 hospital system, like washing all the bedding and</p> <p>9 things like that. And that was something I felt</p> <p>10 like I could possibly do, because it wasn't</p> <p>11 physically demanding just in terms of pregnancy in</p> <p>12 mind and things like that. And it was also like --</p> <p>13 yeah, just sedentary, wasn't very physically</p> <p>14 demanding, that's one I can remember too. Those</p> <p>15 really are the only ones I can think of off the top</p> <p>16 of my head.</p> <p>17 Q Thank you. I appreciate that. At this</p> <p>18 point you're having the problem of excessive</p> <p>19 vomiting. I will mispronounce it, but is it</p> <p>20 hyperemesis?</p> <p>21 A Hyperemesis, yeah.</p> <p>22 Q Thank you. Did you have any sense when</p> <p>23 that would end? Had your doctors given you any</p> <p>24 advice about at what point you could be done with</p> <p>25 that?</p>	<p style="text-align: right;">Page 137</p> <p>1 answered it.</p> <p>2 Q Yes, thank you. I take it that one of the</p> <p>3 employers you applied through -- to through</p> <p>4 Indeed.com was World Vision; is that right?</p> <p>5 A Yes.</p> <p>6 Q I want to ask you some questions about</p> <p>7 World Vision that don't relate to employment</p> <p>8 initially. I just want to understand a little more</p> <p>9 about your familiarity with them. I believe this</p> <p>10 morning you talked about having sponsored a child</p> <p>11 through World Vision with your dad when you were in</p> <p>12 middle school; is that right?</p> <p>13 A Yes, sir.</p> <p>14 Q Was that the first time that you became</p> <p>15 aware of World Vision?</p> <p>16 A Yes.</p> <p>17 Q And you sponsored for a time and then</p> <p>18 stopped. What other awareness did you have of World</p> <p>19 Vision back in your middle school and high school</p> <p>20 days?</p> <p>21 A I really only think that that was the main</p> <p>22 one. At the time World Vision sponsorship led my</p> <p>23 parents into the possibility of wanting to adopt a</p> <p>24 child from a third world country. And I don't know,</p> <p>25 to be honest, if World Vision helps facilitate any</p>

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<p style="text-align: right;">Page 138</p> <p>1 of that, but I remember that was a huge thing that</p> <p>2 came from the World Vision sponsorship, was my</p> <p>3 parents and me wanting to do more. So I remember</p> <p>4 Googling I don't remember if it was World Vision's</p> <p>5 website or where it was, but Googling children that</p> <p>6 were up for adoption in third world countries and</p> <p>7 thinking what it would be like, how it would be so</p> <p>8 cool to do that and have a sibling or such from</p> <p>9 somewhere such as that. So that's the only kind of</p> <p>10 memory I have in terms of the World Vision</p> <p>11 sponsorship and afterwards, if you will.</p> <p>12 Q Do you remember about how old you were</p> <p>13 when you were Googling for the sponsorship adoption</p> <p>14 possibilities?</p> <p>15 A I would say probably 15 or 16. It was</p> <p>16 either late middle school, early high school.</p> <p>17 Q How did that turn out? Did your parents</p> <p>18 ever adopt anyone?</p> <p>19 A They did not, which was sad, but no.</p> <p>20 Q Did you keep following up on any of that?</p> <p>21 A Not really, un-un.</p> <p>22 Q So did World Vision just completely drop</p> <p>23 off your mental radar for a while?</p> <p>24 A Yeah, in a way. And I think honestly our</p> <p>25 church, their partnership with Acres of Hope had</p>	<p style="text-align: right;">Page 140</p> <p>1 Christmas. I don't remember which she was referring</p> <p>2 to, but I do remember it was around November or</p> <p>3 December.</p> <p>4 Q You said one of the HR people. Do you</p> <p>5 mean HR people at World Vision?</p> <p>6 A Yeah. Yeah, sorry.</p> <p>7 Q So if I can cast you back to the moment</p> <p>8 when you decided that you were going to pursue</p> <p>9 employment with World Vision, who did you talk about</p> <p>10 that with?</p> <p>11 A Do you mean like the HR person or just in</p> <p>12 general?</p> <p>13 Q In your life just in general.</p> <p>14 A I definitely talked to my wife, I remember</p> <p>15 mentioning it to my parents and my siblings.</p> <p>16 Because I just said, Hey, there is this job for</p> <p>17 World Vision. Remember we sponsored somebody? I</p> <p>18 believe those were the main people I told about it,</p> <p>19 being my wife and my father.</p> <p>20 Q Was there anybody else you talked to about</p> <p>21 it?</p> <p>22 A I would say maybe a couple friends here</p> <p>23 and there if they asked, like, How's your job search</p> <p>24 going, or whatever. But nobody in particular that I</p> <p>25 talked about it more than just in like a passing</p>
<p style="text-align: right;">Page 139</p> <p>1 began when I was in high school, so that kind of</p> <p>2 took over, if you will, because it was a more, at</p> <p>3 least for me as a person, more easily accessible</p> <p>4 kind of way to get involved in the sponsorship-type</p> <p>5 realm of work, if you will.</p> <p>6 Q Between that point where you stopped</p> <p>7 Googling for World Vision sponsorships and the point</p> <p>8 at which you applied for employment, what was the</p> <p>9 next time World Vision came onto your mental radar?</p> <p>10 A The only distinct memory was when I</p> <p>11 remember seeing the job. I believe it was on Indeed</p> <p>12 and I got excited because I was like, oh, my God. I</p> <p>13 know World Vision. I'm familiar or had experience</p> <p>14 with them. So I think that at least is strong in my</p> <p>15 memory of remembering seeing World Vision and being</p> <p>16 like, wow, that would be really cool. But I don't</p> <p>17 remember anything in between that time.</p> <p>18 Q So do you remember about when you saw</p> <p>19 World Vision on Indeed.com?</p> <p>20 A I want to say it was -- I know it was</p> <p>21 November or December of that -- of 2020, because I</p> <p>22 remember with -- talking with one of the HR people.</p> <p>23 She had told me it might take her a little bit to</p> <p>24 get back to her because of the holidays. But I</p> <p>25 don't remember which holiday, either Thanksgiving or</p>	<p style="text-align: right;">Page 141</p> <p>1 conversation or small talk, if you will.</p> <p>2 Q How did your wife respond to the idea?</p> <p>3 A She was excited. She thought it would be</p> <p>4 a good fit, based off of what I had done in the past</p> <p>5 and I -- she never knew that I had sponsored -- or</p> <p>6 my dad and me had sponsored a child through World</p> <p>7 Vision, so we talked about that. So it was just</p> <p>8 kind of like a conversation that was about wanting</p> <p>9 to apply for the job and finding the job and</p> <p>10 thinking it was cool that I had a connection, if you</p> <p>11 will, but that also led into more conversation</p> <p>12 around the connection and World Vision as a whole,</p> <p>13 if that makes any sense.</p> <p>14 Q Just unpack that last piece for me, the</p> <p>15 conversation about World Vision. What do you mean</p> <p>16 by that?</p> <p>17 A Just about my experience with World</p> <p>18 Vision. I told her that we had sponsored a kid at I</p> <p>19 think it was called Winter Jam Concert, whatever.</p> <p>20 So talking about that, just the process of I</p> <p>21 believe -- I don't remember the cost of it or</p> <p>22 whatever, but just what -- when you sponsored the</p> <p>23 kid what that meant just in terms of providing food</p> <p>24 and housing or whatever it was with World Vision. I</p> <p>25 don't remember. But just telling her what it was,</p>

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<p style="text-align: right;">Page 142</p> <p>1 how it worked and that, like I said, I had done it  2 with my dad and, again, that there was a cool  3 connection that I felt like just in terms of the job  4 world and how that works, you know, having that  5 personal story of knowing World Vision could be  6 helpful in that World Vision job interview, if that  7 makes sense.</p> <p>8 Q Thank you. Do you remember any of the  9 conversation with members of your family other than  10 your wife?</p> <p>11 A No. I think they were all very similar.  12 It just started off with, Hey, remember how we used  13 to sponsor that child from World Vision? Well, I  14 just applied for a job with them, and just kind of  15 cut and dry like that, if you will. Nothing like  16 crazy in-depth or anything, just that I was more  17 from a place of excitement of finding that job  18 position and getting to have the possibility of  19 working for some -- working for a place that I had  20 previously had an outsider perspective of, if you  21 will.</p> <p>22 Q Out of everybody you spoke with do you  23 remember anyone saying anything that was negative or  24 cautionary about working for World Vision?</p> <p>25 A No, not at all. I think everything was</p>	<p style="text-align: right;">Page 144</p> <p>1 don't know if you've heard -- there is a site called  2 Glass Door. You can look up -- most of the time if  3 people have previously worked there you can look up  4 reviews, you can look up salary ranges, hourly  5 ranges. I believe I did that. I do that for all of  6 my job positions or any job position that I've had a  7 response to. Because I don't essentially want to  8 waste my time if they're only going to offer 13 an  9 hour, you know. So I do that as my own personal way  10 to kind of, what's the word, filter out, if you  11 will, employment opportunities I don't feel like I  12 can make work.</p> <p>13 I would have done -- I'm pretty  14 sure -- I don't remember doing that, but that's  15 pretty much my way of doing things with jobs, so I  16 assume that I did that. Then I know I looked on  17 World Vision's website, because I was -- a big part  18 of it was mostly curiosity, like, what's it look  19 like? And also I remember reading more about like,  20 on the employer page at least, there's -- I think  21 there were pictures at the time of what seemed to be  22 what it was like to work at World Vision. So  23 looking at those, looking at -- just various  24 browsing on their website. And then I remember  25 reading a part -- something about the Apostle's</p>
<p style="text-align: right;">Page 143</p> <p>1 positive because people knew me in a sense of knew  2 that I loved the sponsorship, knew that I loved  3 talking to people and helping people and it was all  4 positive in my terms as well as theirs.</p> <p>5 Q So you made the decision to apply. What  6 happened next?</p> <p>7 A After I applied I remember -- I think I  8 received an E-mail from Catherine Miolla. I think  9 she was the HR recruiter or coordinator or somebody  10 with HR. And I think she E mailed me because she  11 wanted to set up a preliminary interview, screening  12 type thing as like the first step of the hiring  13 process. So I think we coordinated back and forth  14 and then did that. I believe the pre-screening  15 interview was with her, but it may not have been.  16 But I do know that was part of the first initial  17 steps of the hiring process that I remember.</p> <p>18 Q Thank you. That's helpful. Let me back  19 you up. I may have been unclear in my question. I  20 wanted to frame it from the moment you decided that  21 you would apply. What happened next? I'm curious  22 to know, what research did you do? Did you look at  23 the World Vision website? Did you do anything prior  24 to actually submitting your application?</p> <p>25 A Yep. So I did, as I do with all jobs, I</p>	<p style="text-align: right;">Page 145</p> <p>1 Creed, something about -- they have -- are you okay  2 with me referring to it as "they"? Because I don't  3 know who "they" is, like marketing-wise. I don't  4 want to be rude.</p> <p>5 Q That's fine. There is a question that I  6 could ask you to set this up, but go ahead and  7 finish and we can clarify to make sure we are  8 understanding the same term.</p> <p>9 A So they, or the website, had put that they  10 were an EEOC employer, so I remember seeing that. I  11 remember just I guess overall doing almost like a  12 skim read version of looking at the website, mostly  13 because I was genuinely curious what it looked like  14 versus how I remembered it. And I'm pretty sure I  15 looked at reviews of previous employees and that  16 sort of screening. But I don't believe I went  17 anywhere beyond the website or Glass Door.</p> <p>18 Q With regard to the website, did you look  19 pretty broadly through it, did you look in just a  20 few narrow areas? How much did you delve into World  21 Vision?</p> <p>22 A I think maybe two or three minutes, to be  23 honest. Not very long. Like I said, it was mostly  24 of a place of curiosity versus any other intentions.  25 So I think that was the only kind of thing. And a</p>



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<p style="text-align: right;">Page 146</p> <p>1 lot of times with other job interviews I will do the</p> <p>2 same thing. With Queen City Counseling I did that</p> <p>3 or Atrium Health I would look at the location that I</p> <p>4 was offered a job and possibly who worked there, if</p> <p>5 they have any good reviews, salary, benefits, XYZ.</p> <p>6 So wherever I could go to find that information,</p> <p>7 like I said, to kind of filter it out to see if it</p> <p>8 would be a good fit for me. It was probably all in</p> <p>9 all maybe two or three minutes of looking at the</p> <p>10 About Us or the home screen or I possibly looked at</p> <p>11 the Facebook page. I do that sometimes, so it may</p> <p>12 have been that as well.</p> <p>13 Q Let me pause for a moment to talk on a</p> <p>14 different point. You asked about using "they" and I</p> <p>15 realized we have both been using the phrase World</p> <p>16 Vision. When I've been using World Vision, I'm</p> <p>17 referring to World Vision, Inc. that's named as a</p> <p>18 Defendant in the lawsuit that you've brought. Is</p> <p>19 that who you're referring to as well?</p> <p>20 A Yeah. But when I say they I just mean</p> <p>21 they as in World Vision, but I know it's obviously</p> <p>22 not World Vision posting. It's whoever was hired to</p> <p>23 do that marketing, or you know what I'm saying? I</p> <p>24 didn't know if I should refer to it as on the World</p> <p>25 Vision website, World Vision says this, or "they".</p>	<p style="text-align: right;">Page 148</p> <p>1 document was marked for</p> <p>2 identification as Exhibit-8.)</p> <p>3 * * *</p> <p>4 BY MR. WARD:</p> <p>5 Q Ms. McMahon, if you'd take a few minutes</p> <p>6 to look at that and let me know if you've had a</p> <p>7 chance to review it.</p> <p>8 A (Witness complies.) Okay.</p> <p>9 Q Ms. McMahon, do you recognize this</p> <p>10 document?</p> <p>11 A Yes.</p> <p>12 Q What is it?</p> <p>13 A I believe it was the job posting</p> <p>14 application that World Vision posted that I had</p> <p>15 applied to.</p> <p>16 Q Is this the job posting that you saw in</p> <p>17 the Indeed.com website?</p> <p>18 A Yes, it looks like it was, yeah.</p> <p>19 Q I should mention you'll notice the number</p> <p>20 in the bottom right corner, P0072. That means your</p> <p>21 counsel produced that to us in the course of</p> <p>22 discovery. So am I correct in understanding you</p> <p>23 were applying for the customer service</p> <p>24 representative job; is that right?</p> <p>25 A Yes, sir.</p>
<p style="text-align: right;">Page 147</p> <p>1 Does that make sense?</p> <p>2 Q It does. Thank you for your sensitivity</p> <p>3 to that. I think if you do what you did before,</p> <p>4 which is the World Vision website or we can even say</p> <p>5 at WorldVision.org?</p> <p>6 A Okay.</p> <p>7 Q And when you're thinking of a particular</p> <p>8 person it's great if you can identify the person.</p> <p>9 A Okay.</p> <p>10 Q If at any point you're unclear or I am</p> <p>11 unclear, let's each promise to ask each other to</p> <p>12 clarify it just to make sure we are referring to the</p> <p>13 same thing.</p> <p>14 A Yeah, for sure.</p> <p>15 Q So do you remember the job posting you</p> <p>16 looked at?</p> <p>17 A Uh-huh.</p> <p>18 Q Was that a posting on the Indeed.com</p> <p>19 website or did you find it on the World Vision</p> <p>20 website?</p> <p>21 A I found it on Indeed.</p> <p>22 Q Let me try and share another exhibit,</p> <p>23 which I believe will be marked as Exhibit 8.</p> <p>24 * * *</p> <p>25 (Whereupon, the above-mentioned</p>	<p style="text-align: right;">Page 149</p> <p>1 Q Do you know, is that job referred to by</p> <p>2 any other names?</p> <p>3 A I've seen a couple of other -- something</p> <p>4 with the word donor in it. I don't know. Customer</p> <p>5 service rep or, yeah, something to do with donor.</p> <p>6 Q Am I correct in understanding that this</p> <p>7 was to be a trainee position, that you were applying</p> <p>8 to go into a training program and then be evaluated</p> <p>9 after that?</p> <p>10 A Yeah.</p> <p>11 Q And if I can direct your attention to the</p> <p>12 very last page of this document, it talks about</p> <p>13 there is a 9 to 11 week training program. Is that</p> <p>14 what you're thinking of when you say yeah to my</p> <p>15 question?</p> <p>16 A Yes. So you're saying did I know there</p> <p>17 was going to be the job training before the initial</p> <p>18 offer?</p> <p>19 Q No. What I'm saying is, did you know the</p> <p>20 position you were applying for was a 9 to 11 week</p> <p>21 training program that's described here as a</p> <p>22 probationary period and so you'd be evaluated at the</p> <p>23 end of that?</p> <p>24 A Yeah. Yeah.</p> <p>25 Q If I can ask you to look with me at a</p>

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<p style="text-align: right;">Page 150</p> <p>1 couple of things, I notice that it said salary is 13 2 to \$15 an hour. If I heard you correctly a few 3 minutes ago you said \$13 an hour would be too low 4 but 15 was okay. What did you think when you saw 5 that compensation listing?</p> <p>6 A So I was hoping obviously that it would be 7 on the \$15 an hour side of things, but then I did 8 also take into consideration the location, slash, 9 cost of living, as well as a comprehensive benefits 10 package, which at that point I wasn't on my parents' 11 insurance yet, so I would need benefits at that 12 time. And so the 15 an hour I was definitely more 13 willing to work for, but I know I asked about the 14 compensation rate at some point on the phone with 15 Catherine Miolla and I believe they were going to 16 offer 17 an hour. So I knew -- seeing that I was 17 hopeful for 15, but if more, great. But I think if 18 there was a lower compensation rate of 13 I would 19 try to I don't want to say counteract that, but see 20 if there was any wiggle room. You know, if I 21 decided not to take the benefits package would you 22 guys do 15 an hour or something like that.</p> <p>23 Q Thank you. If I can ask you to look at 24 the second page of this exhibit, please. About 25 halfway down the page the sentence says the job</p>	<p style="text-align: right;">Page 152</p> <p>1 organization or Christian organization. So I think 2 from the forefront if I was to be asked to describe 3 World Vision to somebody it would first off be about 4 what World Vision does as a company and then 5 followed by that, if you will.</p> <p>6 Q You used the word company a few times. 7 You understand that they're a tax exempt nonprofit 8 organization, right, a charity?</p> <p>9 A I guess -- no -- I don't know. I think -- 10 is that -- does that mean it's not for -- not for 11 profit?</p> <p>12 Q That's right.</p> <p>13 A Okay. Got ya. I don't think I really 14 understood that fully, because to be blunt I knew 15 that they're paid to do -- they're paid to work and 16 get donors and want to get money from donors and 17 things like that. So I don't think I fully knew 18 that they were not for profit, because I didn't know 19 how they could be, but -- they as in World Vision, 20 sorry. So yeah, I don't think I understood that 21 fully. Because even the hospital system that I work 22 for now is not for profit, but it doesn't make sense 23 to me. I don't think I have a full understanding of 24 what not for profit means, because in my eyes you're 25 still charging people. Does that make sense?</p>
<p style="text-align: right;">Page 151</p> <p>1 responsibilities include, help carry out our 2 Christian organization mission, vision and 3 strategies. At the time you applied did you 4 understand that that was part of the duties of the 5 job you were applying for?</p> <p>6 A Yeah, I mean I think so. Because I think 7 with any company, you know, like you have to be 8 willing and in agreement with whether it be their 9 marketing strategies or such as that. I think I 10 understand what you're asking, yeah.</p> <p>11 Q Let me ask a different question. This may 12 be helpful. I would assume from what you've earlier 13 described about your familiarity with World Vision 14 that you knew this, but was it clear to you that 15 World Vision is an expressly Christian organization 16 with an expressly Christian mission?</p> <p>17 A Yeah. Yeah. I think that -- for me 18 personally I don't think that's in the forefront of 19 my mind. If people were to say, what's World 20 Vision? I would explain it as they generally work 21 through the church, you know, how you can sponsor a 22 child, pay \$50 a month and that child in need can 23 get this, this, this. And then that's kind of in 24 the forefront of my mind about World Vision or 25 anything, followed by they're a religious</p>	<p style="text-align: right;">Page 153</p> <p>1 Q I think it does. I think I understand 2 what you're saying. Let me ask it a different way. 3 This may be helpful, it may not be. The phrase 4 sometimes used is this is a Section 501C3 charity 5 with the idea being that Section 501C3 is part of 6 the tax code that says you're tax exempt. Have you 7 ever heard someone refer to an organization as a 8 501C3 organization?</p> <p>9 A I have, but that's the part of it, though. 10 I think when you throw in charity in there I think 11 of donating to Goodwill. I think of it as, Let me 12 give you this and I get nothing in return. Whereas 13 I didn't feel like that fit with World Vision, 14 because in my eyes I guess like, how are you paying 15 your employees if you're not for profit? You have 16 to make some sort of profit to pay your employees. 17 For me I guess charity is like volunteers or like I 18 literally get nothing out of it except maybe a sense 19 of, you know, purpose or whatever that may be. So I 20 think for me I -- yeah. Yeah.</p> <p>21 Q That's helpful. I appreciate your telling 22 me that. Let me ask a question to make sure I'm 23 understanding you correctly. Did you think of Acres 24 of Hope, when you were sponsoring a child through 25 them, did you think of them as a nonprofit</p>



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<p style="text-align: right;">Page 154</p> <p>1 organization?</p> <p>2 A Uh-huh, yeah.</p> <p>3 Q Did they have any employees that they were</p> <p>4 paying?</p> <p>5 A The only thing I know is that -- like I</p> <p>6 said, when we had gone on the mission trip and we</p> <p>7 were the ones that when the donees -- or not donees.</p> <p>8 The children that were sponsored were creating</p> <p>9 little crafts and such, it was volunteers that were</p> <p>10 facilitating that. Now, the pastor that worked for</p> <p>11 the -- he didn't work for Acres of Hope. He was</p> <p>12 just the pastor of that church, if you will, that</p> <p>13 Acres of Hope is helping. So as far as I know, I</p> <p>14 just knew him as the pastor of World of God and not</p> <p>15 as an employee of Acres of Hope.</p> <p>16 So I didn't think that Acres of</p> <p>17 Hope -- I've never really actually thought about it,</p> <p>18 but just beyond the, like I said, volunteers helping</p> <p>19 get -- helping do work-related activities, such as</p> <p>20 taking pictures of the children and posting them on</p> <p>21 line or writing their bios, having the translator.</p> <p>22 And the translator was always from the village, so I</p> <p>23 assumed they were volunteers as well. So that was</p> <p>24 kind of my understanding at least of Acres of Hope's</p> <p>25 philosophy or way of functioning, if you will.</p>	<p style="text-align: right;">Page 156</p> <p>1 Word of God and through deeds, so do charity work</p> <p>2 and things like that in terms of life, living your</p> <p>3 life in the eyes of God or for the eyes of God. And</p> <p>4 Sign, I don't understand that one. So I think</p> <p>5 generally it sums it up as World Vision hopes that</p> <p>6 you will also almost, I don't want to say market,</p> <p>7 but also help say, Hey, we are World Vision. We are</p> <p>8 Christians. We love God. He's the center of our</p> <p>9 lives. We do good for other people and we hope that</p> <p>10 you do too and all of our employees do as well. I</p> <p>11 can't obviously speak from when I read it for the</p> <p>12 first time, because I honestly don't remember. But,</p> <p>13 yeah.</p> <p>14 Q Thank you. That's helpful. I've got a</p> <p>15 better sense of what you understood from it. Would</p> <p>16 you agree World Vision would have the most accurate</p> <p>17 understanding of what's meant by this language?</p> <p>18 A Probably, yeah.</p> <p>19 Q Let's look at the next part down on the</p> <p>20 page. There is a bullet point and the very first</p> <p>21 bullet point has a sentence that says, Keep Christ</p> <p>22 central in our individual and corporate lives. Do</p> <p>23 you remember seeing that?</p> <p>24 A Uh-huh.</p> <p>25 Q What's your understanding of what that</p>
<p style="text-align: right;">Page 155</p> <p>1 Q Thank you. I think I understand your</p> <p>2 thinking better, so this has been helpful for me.</p> <p>3 If I can point you back to the same page we were</p> <p>4 looking at, the next sentence says that the job</p> <p>5 duties for the position include to personify the</p> <p>6 ministry of World Vision by witnessing to Christ and</p> <p>7 administering to others through life, deed, word and</p> <p>8 sign. Do you remember seeing that when you looked</p> <p>9 at the job description?</p> <p>10 A I probably did see it and read it, but to</p> <p>11 be honest, and I hate to admit this, but I'm like</p> <p>12 a -- can you dumb that down for me? So personify is</p> <p>13 confusing for me. Personify. It's kind of like big</p> <p>14 sciencey words, but -- so I probably did read it,</p> <p>15 yeah.</p> <p>16 Q What would you understand that to say?</p> <p>17 A I think personify I still don't really --</p> <p>18 personify the ministry of World Vision by witnessing</p> <p>19 to Christ administering -- wait. Administering</p> <p>20 others through -- to me that kind of just, I think,</p> <p>21 even just reading it now says we hope that you -- or</p> <p>22 one of World Vision's hopes is that you are a</p> <p>23 Christian, either yourself in that you are proud to</p> <p>24 talk about it, proud to, you know, tell others about</p> <p>25 it, but that also you either read the Bible or the</p>	<p style="text-align: right;">Page 157</p> <p>1 means?</p> <p>2 A I think kind of as in my opinion most</p> <p>3 Christians should, you know, like I said living</p> <p>4 almost through the lens of God, or Christ, and</p> <p>5 keeping almost like that internal central, if you</p> <p>6 will, conscience that I talked about. So in your</p> <p>7 personal life, you know, going to church, doing</p> <p>8 those Christian things, as well as in your corporate</p> <p>9 or in your work life. You know, saying that -- or</p> <p>10 having people know that you're a Christian and that</p> <p>11 you believe in God and such and such and being</p> <p>12 willing and able to, I don't want to say prove that</p> <p>13 to others, but being willing and able and not</p> <p>14 shunning people away if a donor calls but they</p> <p>15 really want to make a difference but they don't</p> <p>16 quite have a relationship with God, but being</p> <p>17 understanding that, you know, I'm strong in my faith</p> <p>18 and so I hope that you can be too or whatever.</p> <p>19 So I think to keep Christ central in</p> <p>20 our individual and corporate lives just means as a</p> <p>21 whole in your personal, mental career-wise realm, or</p> <p>22 you as just a being in general, to keep your faith</p> <p>23 and spirituality and Christ, like I said, through</p> <p>24 the eyes of him and not let that falter. So</p> <p>25 hopefully that kind of answers it.</p>

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<p style="text-align: right;">Page 158</p> <p>1 Q Let's look at the next sentence. This</p> <p>2 says that anybody in this job would be required to</p> <p>3 attend and participate in the leadership of</p> <p>4 devotions, weekly chapel services and regular</p> <p>5 prayer. Do you remember seeing that sentence?</p> <p>6 A Yeah. I don't remember seeing the</p> <p>7 sentence, but I remember it at least being talked</p> <p>8 about for the weekly chapel, services, devotions and</p> <p>9 prayer. I do remember that being talked about as</p> <p>10 offered by World Vision for employees.</p> <p>11 Q So you understood that if you were</p> <p>12 employed by World Vision you would be required to</p> <p>13 attend weekly chapel services and devotions; is that</p> <p>14 correct?</p> <p>15 A Yeah.</p> <p>16 Q And did you understand that you would be</p> <p>17 required to participate in leading any of those</p> <p>18 devotions and chapel services?</p> <p>19 A No. I thought of it more of -- to me that</p> <p>20 felt almost like what we did in college, like I told</p> <p>21 you about the weekly -- I thought back to sitting in</p> <p>22 the college gym, you know, listening to a speaker.</p> <p>23 I thought it was more like a perk for the employees</p> <p>24 as like a, you know, We want you to have a work</p> <p>25 faith balance. You know how you hear of a work life</p>	<p style="text-align: right;">Page 160</p> <p>1 students. So I'm not understanding if it was a</p> <p>2 weekly chapel service for donors or was it for</p> <p>3 employees? To me that I took it -- because to me it</p> <p>4 was a weekly chapel service or a time for employees</p> <p>5 to have I guess a little bit of a break and to</p> <p>6 refocus themselves on their faith and their</p> <p>7 community within, if you will, within World Vision.</p> <p>8 So I think I thought of it -- I've never heard of a</p> <p>9 company or organization doing like a weekly chapel</p> <p>10 service with people that -- I mean unless you're a</p> <p>11 church. I don't know. I guess I was confused</p> <p>12 because, to be blunt, it seemed weird to me for it</p> <p>13 to be a weekly chapel service for strangers versus</p> <p>14 something that would benefit employees and, you</p> <p>15 know, I thought it was a way for World Vision to</p> <p>16 insure that their employees were, you know, standing</p> <p>17 strong in their faith like it says in the sentence</p> <p>18 before, like keeping Christ central in our</p> <p>19 individual and corporate lives and by attending</p> <p>20 weekly chapel services together we can all do that.</p> <p>21 Does that make more sense?</p> <p>22 Q I think so. So based on what you just</p> <p>23 said, would you agree with me that World Vision has</p> <p>24 the right to expect its employees to agree with its</p> <p>25 religious beliefs?</p>
<p style="text-align: right;">Page 159</p> <p>1 balance, but also like a work faith balance. Like</p> <p>2 we offer you a time to grow as employees together at</p> <p>3 a weekly chapel service where we -- I don't know. I</p> <p>4 guess I just had this thought in my head that maybe</p> <p>5 we would do like prayer requests. Like if anybody</p> <p>6 had something on their mind, like, Hey, guys I'm</p> <p>7 struggling with my daughter this week, so keep us in</p> <p>8 your prayers, that type of thing. I thought it was,</p> <p>9 like I said, an employee perk, almost like a benefit</p> <p>10 of working for World Vision, like what World Vision</p> <p>11 was giving to their employees versus what employees</p> <p>12 were expected to do, if that makes sense.</p> <p>13 Q I'm not sure it does. I'm intrigued,</p> <p>14 because you're describing it as a perk or a benefit</p> <p>15 and I thought in the job description it's presented</p> <p>16 as a job responsibility or duty. So can you explain</p> <p>17 to me how you sort of see that as a perk or a</p> <p>18 benefit?</p> <p>19 A Yeah. So like I really -- like I feel</p> <p>20 like I thought of it in almost like a sense of what</p> <p>21 I've experienced in college. Like I said, we had --</p> <p>22 we were expected to participate in the weekly it was</p> <p>23 called dimensions, and we had to get a certain</p> <p>24 amount every year. So while it was a requirement,</p> <p>25 it still was required for the benefit of the</p>	<p style="text-align: right;">Page 161</p> <p>1 A What do you -- I don't know. What does</p> <p>2 that have to do with the devotions, weekly chapel --</p> <p>3 are we still talking about that?</p> <p>4 Q Well, you just said something that sounded</p> <p>5 like you were saying that. So I was just trying to</p> <p>6 understand you.</p> <p>7 MR. WOLNOWSKI: Is there a question?</p> <p>8 MR. WARD: Yes. Karen, would you read it</p> <p>9 back, please?</p> <p>10 * * *</p> <p>11 (Whereupon, the Court Reporter</p> <p>12 read from the record.)</p> <p>13 * * *</p> <p>14 THE WITNESS: Okay. So can you repeat it</p> <p>15 one more time?</p> <p>16 * * *</p> <p>17 (Whereupon, the Court Reporter</p> <p>18 read from the record.)</p> <p>19 * * *</p> <p>20 THE WITNESS: I feel like as long as</p> <p>21 they're -- I think you can have the employees</p> <p>22 agree to agree, but also still have their own</p> <p>23 beliefs, if that makes sense.</p> <p>24 BY MR. WARD:</p> <p>25 Q I'm not sure that does make sense. Can</p>

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<p style="text-align: right;">Page 162</p> <p>1 you explain to me what that means, please?</p> <p>2 A Kind of like what we talked about with</p> <p>3 Just Be. Like I can validate and hear and</p> <p>4 understand World Vision's definition of religion, if</p> <p>5 you will, and agree with them having that kind of</p> <p>6 belief or those definitions or whatever of religion</p> <p>7 and on the flip side of that I can also have my own,</p> <p>8 if that makes sense. So like agree that they have</p> <p>9 those beliefs of Christianity and what that means to</p> <p>10 them while also hoping they would agree that I have</p> <p>11 my beliefs of Christianity and what that means to</p> <p>12 me. Does that make more sense?</p> <p>13 Q I'm not sure it does. Help me understand.</p> <p>14 Suppose an employee said, I believe Christianity is</p> <p>15 false. It's untrue. Would World Vision be able to</p> <p>16 say that's not acceptable for an employee or would</p> <p>17 they have to say you can just be, and believe that?</p> <p>18 MR. WOLNOWSKI: Objection to form. You're</p> <p>19 asking what World Vision thinks about</p> <p>20 something?</p> <p>21 MR. WARD: No. I'm asking her her</p> <p>22 understanding.</p> <p>23 Q So, please, you may answer.</p> <p>24 A Can you repeat it?</p> <p>25 Q Let me try it again. If I understood what</p>	<p style="text-align: right;">Page 164</p> <p>1 work for World Vision you have to say that you're a</p> <p>2 Christian, believe in the Apostle's Creed, you need</p> <p>3 to pray at least once a week or whatever. I think</p> <p>4 those are all fine, because I believe that those are</p> <p>5 things that most and almost all, if not all,</p> <p>6 Christians would agree with and abide by and live</p> <p>7 by. So to me I think like saying that World Vision,</p> <p>8 you must be a Christian, I think is just an umbrella</p> <p>9 statement in a way. Because it's like a Christian</p> <p>10 or Christianity I feel like -- or the definition of</p> <p>11 Christianity I feel like is different for everybody.</p> <p>12 Because kind of like I mentioned before, people pick</p> <p>13 and choose what parts of Christianity and the</p> <p>14 teachings that they strongly agree with or do not.</p> <p>15 Does that make more sense?</p> <p>16 Q Well, I'm not sure. So is what you're</p> <p>17 saying that each employee would get to say what they</p> <p>18 think Christianity means?</p> <p>19 A I mean I guess if they were asked, yeah.</p> <p>20 Or just in being asked if, you know, do you keep</p> <p>21 Christ central? Kind of like what it says above, Do</p> <p>22 you keep Christ central in our individual and</p> <p>23 corporate lives, that's a huge important aspect. I</p> <p>24 think that Christianity, the ultimate goal of</p> <p>25 Christianity is for a person to have a relationship</p>
<p style="text-align: right;">Page 163</p> <p>1 you were saying, you're pointing to what you shared</p> <p>2 about Just Be and the idea that World Vision would</p> <p>3 have its beliefs and employees would have their</p> <p>4 beliefs. So I ask the question, does that mean that</p> <p>5 World Vision can't require that its employees</p> <p>6 believe in Christianity?</p> <p>7 MR. WOLNOWSKI: Same objection.</p> <p>8 THE WITNESS: I think from -- I don't know</p> <p>9 from like a legal standpoint. From a personal</p> <p>10 standpoint I think if someone identified as</p> <p>11 like atheist, for example, I don't think that</p> <p>12 World Vision would be a good fit for them for</p> <p>13 an employer, especially because there are -- I</p> <p>14 don't know, atheism versus Christianity, if you</p> <p>15 will, or saying they don't believe in God, I</p> <p>16 don't think there is compromise there, if that</p> <p>17 makes sense, or wiggle room at all. Does that</p> <p>18 make sense?</p> <p>19 BY MR. WARD:</p> <p>20 Q I'm not sure I'm fully understanding it.</p> <p>21 Is the dividing line that you would see the</p> <p>22 requirement of a compromise or wiggle room?</p> <p>23 A No. But I feel like -- I just feel like</p> <p>24 as a whole what someone defines as Christianity to</p> <p>25 them is so varied that if you said if you want to</p>	<p style="text-align: right;">Page 165</p> <p>1 with God and for that relationship to guide them</p> <p>2 throughout life. So whether that looks a little bit</p> <p>3 different for people -- even at Gardner Webb there</p> <p>4 were some Christians that would only wear long</p> <p>5 skirts or were moderate in that way.</p> <p>6 So if World Vision employed, for lack</p> <p>7 of a better word, somebody such as that, that</p> <p>8 believed that, you know, modesty was a true sign of</p> <p>9 Christianity and you were going against God's word</p> <p>10 by wearing short shorts, then that's definitely</p> <p>11 something that I feel like they're allowed to define</p> <p>12 for themselves, with also still they're Christian</p> <p>13 and they believe that -- I feel like as long as you</p> <p>14 have, kind of like I said, as long as you have that</p> <p>15 umbrella, if you will, view that, you know, God is</p> <p>16 my creator. He died to forgive my sins and I want</p> <p>17 to live for him, do good for him, keep him as the</p> <p>18 center of my life, I think that is the most</p> <p>19 important part. And then whatever, if you will,</p> <p>20 kind of spreads out from there is up to that</p> <p>21 individual, if you will, to decide. Does that make</p> <p>22 sense?</p> <p>23 Q A little bit more. Let me see if I</p> <p>24 understand it. You referred to the umbrella. Are</p> <p>25 you saying that World Vision could say here's what</p>

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<p style="text-align: right;">Page 166</p> <p>1 the umbrella is and then the things that flow from</p> <p>2 the umbrella, the employee would get to say? Is</p> <p>3 that your understanding?</p> <p>4 A Yeah. Yeah.</p> <p>5 Q So how do you decide what the umbrella is?</p> <p>6 A What's under the umbrella or what the</p> <p>7 actual umbrella is?</p> <p>8 Q The actual umbrella itself. Let me</p> <p>9 rephrase that. I think -- are you and I in</p> <p>10 agreement that Work Vision gets to decide what the</p> <p>11 umbrella is?</p> <p>12 MR. WOLNOWSKI: Objection. You're asking</p> <p>13 whether or not she agrees with you in</p> <p>14 something?</p> <p>15 MR. WARD: I'm happy to rephrase it.</p> <p>16 MR. WOLNOWSKI: Please rephrase.</p> <p>17 BY MR. WARD:</p> <p>18 Q Would you agree that World Vision gets to</p> <p>19 decide what the umbrella is?</p> <p>20 A I've -- yes, but I feel like in my sense</p> <p>21 I'm talking as the umbrella, the base of the</p> <p>22 umbrella, which World Vision gets to decide is that</p> <p>23 their employees define themselves as Christians.</p> <p>24 Does that make sense?</p> <p>25 Q So it doesn't make sense to me, because I</p>	<p style="text-align: right;">Page 168</p> <p>1 opinion?</p> <p>2 A I think just asking kind of like -- or</p> <p>3 almost like a filtering in a way process of, you</p> <p>4 know, asking questions. Like does this person in</p> <p>5 Exhibit A Page 2, does that person agree to keep</p> <p>6 Christ central in their individual and corporate</p> <p>7 lives, and if the answer is yes, then cool. You</p> <p>8 know, but I think -- I don't know. I didn't really</p> <p>9 think that far into it. I just thought that World</p> <p>10 Vision is, yes, allowed to say we only hire</p> <p>11 Christians or people that define and live their</p> <p>12 religion as Christians.</p> <p>13 However, like I mentioned before,</p> <p>14 because Christianity is so fluid, in my opinion, and</p> <p>15 like there's different sides of Christianity and</p> <p>16 what people cling to and don't cling to that it's</p> <p>17 too hard to set like definite rules that employees</p> <p>18 have to follow. So I think ultimately saying like</p> <p>19 World Vision can say, We want all of our employees</p> <p>20 to be Christians. And then from there I think that,</p> <p>21 you know, your definition of Christian is different</p> <p>22 than mine, Casey's is different than mine,</p> <p>23 everybody's different than mine. However, we still</p> <p>24 identify our religious belief as Christianity, so</p> <p>25 that's okay. Does that make more sense?</p>
<p style="text-align: right;">Page 167</p> <p>1 guess I'm confused about what it means to define</p> <p>2 themselves as Christians.</p> <p>3 MR. WOLNOWSKI: Is there a question?</p> <p>4 MR. WARD: I'm getting there, Counsel, if</p> <p>5 you'll be patient.</p> <p>6 BY MR. WARD:</p> <p>7 Q I'm not getting that from your analogy.</p> <p>8 I'm trying to work with your analogy here. The</p> <p>9 umbrella --</p> <p>10 A Yeah. I'm sorry. Like I said, I'm more</p> <p>11 of a visual -- sorry.</p> <p>12 Q The umbrella may be a useful metaphor. I</p> <p>13 want to make sure I'm understanding you. I hear you</p> <p>14 saying that World Vision gets to define the base of</p> <p>15 the umbrella. And then when I asked you can it</p> <p>16 define whatever the base of the umbrella is and I</p> <p>17 think you answered that by saying they get to define</p> <p>18 the base of the umbrella as the employees identify</p> <p>19 as Christians. Is that a fair summary of what you</p> <p>20 said?</p> <p>21 A Yeah, in a sense that they get to say</p> <p>22 that -- yeah, that the employees they want to hire</p> <p>23 in their company are Christians.</p> <p>24 Q And how do they figure out what it means</p> <p>25 for their employees to be Christians, in your</p>	<p style="text-align: right;">Page 169</p> <p>1 Q I think so, but let me ask a question to</p> <p>2 clarify it. I think you said you agree that World</p> <p>3 Vision can require that all of its employees be</p> <p>4 Christians; is that correct?</p> <p>5 A Yeah.</p> <p>6 Q Then you said when it comes to defining</p> <p>7 what it means to be a Christian, that that's left to</p> <p>8 the individual employee. Is that your</p> <p>9 understanding?</p> <p>10 A Yes.</p> <p>11 Q And so if World Vision said, for example,</p> <p>12 we believe that being a Christian means believing</p> <p>13 Jesus Christ rose from the dead, an employee could</p> <p>14 say, Well, I'm a Christian but I don't believe Jesus</p> <p>15 Christ rose from the dead. In your view, would</p> <p>16 World Vision have to hire that employee?</p> <p>17 A Yeah. Because I don't think that it's</p> <p>18 fair if somebody has that belief to shun them. Just</p> <p>19 like with other religions, like other religions</p> <p>20 believe there is more than one god, but that's for</p> <p>21 them to believe and I guess personally don't think</p> <p>22 there is anything wrong with that. That's why there</p> <p>23 are different religions and beliefs. Nobody I feel</p> <p>24 like has the exact same beliefs on everything. So</p> <p>25 if that person was to say, I don't believe that, you</p>

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<p style="text-align: right;">Page 170</p> <p>1 know, he rose from the dead. I believe that he came  2 down from heaven, or they have some alternative  3 belief, I think that that's irrelevant to their job  4 at World Vision in a way. I personally feel that  5 way. And especially if it's something like a  6 customer service job. I don't think their beliefs  7 on whether or not someone rose from the dead -- or  8 God rose from the dead is -- like relates to that,  9 if that makes sense.</p> <p>10 Q Well, I'm not sure it does. That's why  11 I'm curious. I appreciate you indulging me. I'm  12 trying to understand where the lines are drawn and  13 so let me ask maybe a different angle on the same  14 question. Could World Vision decline to hire  15 someone who was a committed Muslim, someone of  16 Islamic faith?</p> <p>17 MR. WOLNOWSKI: Objection to form. You  18 can answer.</p> <p>19 THE WITNESS: Well, is it -- oh, sorry.  20 BY MR. WARD:</p> <p>21 Q He's objected. You can answer now.</p> <p>22 A I think personally for me, I don't know  23 enough about the Muslim faith, but I feel like --  24 and this is just me talking from what I think, I  25 feel like it's rooted in Christianity, but I don't</p>	<p style="text-align: right;">Page 172</p> <p>1 important, but it's not what I generally think about  2 when I hear of Christianity. I don't know if that's  3 important at all, but, yeah.</p> <p>4 Q Is it fair to say that what you're saying  5 is as long as a person identifies as Christian, that  6 World Vision ought to be required to hire them?</p> <p>7 A Yeah.</p> <p>8 Q Help me understand. Where would you draw  9 the line to say that World Vision could rightfully  10 refuse to hire someone?</p> <p>11 A I think when it falls under the law. I  12 don't know -- I don't know much about or anything  13 about employment law, but I don't think -- as far as  14 my understanding is you're not allowed to not hire  15 somebody. I don't know where that falls in terms of  16 legally if someone has a felony or misdemeanor, I  17 don't know about that part. But in my opinion I  18 don't think, as far as anywhere besides World Vision  19 that I've applied, I don't think anywhere -- I don't  20 know what's legal and what's not legal in that  21 sense. Especially with World Vision's claim to be  22 an EEOC employer, I thought that there was  23 protection there as well.</p> <p>24 Q Let me ask a question and maybe root it  25 back in this job description. If you look at the</p>
<p style="text-align: right;">Page 171</p> <p>1 know, to be honest.</p> <p>2 Q In your view could World Vision require  3 that its employees believe in the Bible?</p> <p>4 A Yeah.</p> <p>5 Q Could World Vision require that its  6 employees believe in the Trinity, Father, Son and  7 Holy Spirit?</p> <p>8 A I think so.</p> <p>9 Q So going back to what you said earlier,  10 what if an employee said, I identify as Christian  11 but I only believe in God the Father. I don't  12 believe in Jesus Christ or the Holy Spirit as part  13 of the trinity?</p> <p>14 A Personally I feel that like that would be  15 okay, because they're still defining themselves as a  16 Christian and trying to live their life in that  17 light, if you will, and trying to live against -- or  18 live among others with those still Christian beliefs  19 and values and I assume that they would try to live  20 as a Christian would, but just maybe have that  21 little bit of a difference. And to be honest, even  22 myself, I'm not fully familiar with the Holy Trinity  23 despite growing up in the church. It's not -- it  24 might be taught a lot, but it's not something that  25 I'm vastly familiar with. I'm not saying it's not</p>	<p style="text-align: right;">Page 173</p> <p>1 page we were looking at --</p> <p>2 A Yeah.</p> <p>3 Q -- the second bullet on that page says the  4 duties of the job require, Maintaining reliable  5 regular attendance, report to work on time and  6 return from breaks and lunches on time. Would you  7 agree that World Vision could terminate someone's  8 employment if they didn't maintain reliable, regular  9 attendance?</p> <p>10 A Yeah, I believe so.</p> <p>11 Q Okay. Look at the bullet above that.  12 Would you agree that World Vision could terminate  13 someone if they didn't keep Christ central in our  14 individual and corporate lives?</p> <p>15 A I think if they were able to prove it,  16 yeah.</p> <p>17 Q How would they prove it?</p> <p>18 MR. WOLNOWSKI: I'm going to object to  19 form. You're asking how a company would prove  20 something?</p> <p>21 MR. WARD: I'm literally just repeating  22 her words back to her. She said if they could  23 prove it and I said how could they prove it.</p> <p>24 MR. WOLNOWSKI: Objection.  25</p>

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<p style="text-align: right;">Page 174</p> <p>1 BY MR. WARD:</p> <p>2 Q Please, answer.</p> <p>3 A I think personally, to be blunt, it's none</p> <p>4 of their business. Because I think that keeping</p> <p>5 Christ central in our lives is important and</p> <p>6 especially also in the corporate life. However,</p> <p>7 there's definitely times where Christ may not be</p> <p>8 central in your life for maybe a short period of</p> <p>9 time or you may be questioning, you know, why</p> <p>10 something has happened to you. Or I could easily</p> <p>11 bring up the pregnancy. Like why did God -- he's</p> <p>12 known that I've wanted children all my life. That's</p> <p>13 all I've dreamed of. I want to be a surrogate like</p> <p>14 so much so that that was something I really would</p> <p>15 have loved to do and why is it -- why did he punish</p> <p>16 me for like, you know, not allowing those things.</p> <p>17 Like I feel like in that time Christ wasn't central</p> <p>18 in my life. I was angry, I was confused, I was sad,</p> <p>19 that sort of thing.</p> <p>20 So I think in the sense of me saying</p> <p>21 that they have to prove it, like if -- maybe if they</p> <p>22 see an employee posting on social media, you know,</p> <p>23 free posts of, you know, things about atheism or</p> <p>24 something like that, something where there is a</p> <p>25 paper trail, if you will, or proof that -- you know,</p>	<p style="text-align: right;">Page 176</p> <p>1 because Christianity, just like sexuality or any</p> <p>2 religion, is fluid. So I identify as gay where</p> <p>3 someone else identifies as bisexual. But if I</p> <p>4 identify as a Christian and somebody identifies as</p> <p>5 an atheist, there is no wiggle room in that, if that</p> <p>6 makes sense.</p> <p>7 Q I think that does make some sense. Let me</p> <p>8 relate it back to something you said earlier. You</p> <p>9 talked about when you looked at the EEO statement</p> <p>10 there was some reference to the Apostles' Creed,</p> <p>11 believing the Apostles' Creed; is that right?</p> <p>12 A Yeah. Uh-huh.</p> <p>13 Q So if somebody said, I don't believe the</p> <p>14 Apostles' Creed anymore, do you believe World Vision</p> <p>15 could terminate their employment?</p> <p>16 A Yeah, I guess so. Because they state that</p> <p>17 they want their employees to believe in the</p> <p>18 Apostles' Creed, right?</p> <p>19 Q Yes, I think that's right. That's</p> <p>20 helpful. I think I'm understanding more what you</p> <p>21 were saying. Can I go back to something you said</p> <p>22 before I ask this last question? I want to make</p> <p>23 sure I heard it correctly. You said that -- I think</p> <p>24 you said, and this won't be an exact quote, that</p> <p>25 just as sexuality is fluid, religion is fluid. Is</p>
<p style="text-align: right;">Page 175</p> <p>1 that sort of thing. But I think that it's</p> <p>2 definitely normal in any faith to have your ups and</p> <p>3 downs in your relationship with God or whoever it</p> <p>4 may be and for God to not always to be central in</p> <p>5 your life, but to have in it your mint that this</p> <p>6 will pass and you will get back to that place. Does</p> <p>7 that kind of answer it?</p> <p>8 Q It does help. You referred to social</p> <p>9 media, that if someone posted on social media that</p> <p>10 their beliefs were very different from World</p> <p>11 Vision's Beliefs that it would be appropriate to</p> <p>12 terminate them. Is that right?</p> <p>13 A Wait. If they're different from -- say it</p> <p>14 again.</p> <p>15 Q World Vision's beliefs.</p> <p>16 A Yeah, I think when it comes to like in a</p> <p>17 sense of if someone claims to World Vision that they</p> <p>18 are a Christian, but then they see on their social</p> <p>19 media that they claim to be an atheist, then I think</p> <p>20 that's fair ground for termination. Just like if</p> <p>21 somebody was -- called out sick, but then on social</p> <p>22 media posted that they were at Disney World, I think</p> <p>23 that's also grounds for termination, because you're</p> <p>24 lying straight up. Because that's I think why -- to</p> <p>25 me it's like Christianity as an umbrella term</p>	<p style="text-align: right;">Page 177</p> <p>1 that correct?</p> <p>2 A I didn't mean religion. That was kind of</p> <p>3 a bad example. I meant Christianity is fluid. I</p> <p>4 was trying to explain it as like you may identify as</p> <p>5 a lesbian, but I -- you still like more masculine</p> <p>6 females, kind of like me. You can be -- identify as</p> <p>7 a Christian, but maybe not have the same feelings as</p> <p>8 somebody else that also identifies as Christian.</p> <p>9 Does that make sense?</p> <p>10 Q Yeah, I think I understand you. I think</p> <p>11 I'm tracking you.</p> <p>12 A Okay.</p> <p>13 Q Let me draw your attention back to the job</p> <p>14 description. If you would be so kind as to look at</p> <p>15 the next page, there's the third bullet from the</p> <p>16 bottom. It says, Be sensitive to donors' needs and</p> <p>17 pray with them when appropriate. Did you understand</p> <p>18 that that was part of the job requirements for the</p> <p>19 position you were applying for?</p> <p>20 A Yeah.</p> <p>21 Q So you knew that you'd need to pray with</p> <p>22 donors at times?</p> <p>23 A Yeah. I think like based off of the</p> <p>24 donor's need or want to pray, yeah. I didn't know</p> <p>25 or -- I didn't think that it was a requirement per</p>



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<p style="text-align: right;">Page 178</p> <p>1 se of the job, like you have to pray every single</p> <p>2 call you take or whatever it may be. But if the</p> <p>3 donor asks if you'll pray with them, you'll be</p> <p>4 willing to pray with them. Does that make sense?</p> <p>5 Q I think it does. But help me understand.</p> <p>6 Suppose World Vision said to its employees in this</p> <p>7 position, When a donor call, we want you to pray for</p> <p>8 that donor. Could it require that as part of the</p> <p>9 position?</p> <p>10 A You said pray with that donor or for that</p> <p>11 donor?</p> <p>12 Q Either.</p> <p>13 A I think -- I mean to me at least I</p> <p>14 would -- I mean I think that if I -- if it was a</p> <p>15 requirement for every single call you took, then I</p> <p>16 think there would maybe need to be training on that,</p> <p>17 just in my opinion. Because everybody prays</p> <p>18 differently, everybody uses different terminology</p> <p>19 when praying, whether they're referring to God or</p> <p>20 Jesus. I've heard some people refer to God as their</p> <p>21 dad. So I think definitely there would need to be</p> <p>22 some stipulations or training around that.</p> <p>23 But I think if that was something</p> <p>24 that the company wanted their employees to pray with</p> <p>25 every single donor, I think it would also need to be</p>	<p style="text-align: right;">Page 180</p> <p>1 you looked at the job description. Did you seek any</p> <p>2 information about what the training for the DCS --</p> <p>3 or I'm sorry, the customer service representative</p> <p>4 position in this description would involve?</p> <p>5 A I didn't, because I knew they were</p> <p>6 going -- I believe one of my -- my second interview</p> <p>7 was with the manager of the call center. So I knew</p> <p>8 that there was going to be that and there was</p> <p>9 also -- I don't remember where in the interview</p> <p>10 process, but there was a training -- what's the</p> <p>11 word? Like a practice mock training where you were</p> <p>12 going to -- I don't know if it was through Indeed or</p> <p>13 what, but basically act out the job or a similar</p> <p>14 job. So I figured that the training would be</p> <p>15 included or what I needed to know about the training</p> <p>16 in the job would be included in either that mock</p> <p>17 employee situation or the interview with the call</p> <p>18 center manager because that -- or the customer</p> <p>19 service, whatever he was, because that's what the</p> <p>20 job was -- he's the manager of what I was going to</p> <p>21 be doing. So I figured he would go over all the</p> <p>22 requirements and everything.</p> <p>23 Q Thank you. That's helpful. Is it fair to</p> <p>24 say you knew that there would be training, but you</p> <p>25 didn't know anything about what the training would</p>
<p style="text-align: right;">Page 179</p> <p>1 in maybe the script. I'm not sure how the customer</p> <p>2 service employees worked there, but let's say you're</p> <p>3 told to open up asking if you can help them with</p> <p>4 anything and before you hang up ask if they would</p> <p>5 like to pray or something. But to me, when I read</p> <p>6 that as like be sensitive to donors' needs and pray</p> <p>7 with them when appropriate, when appropriate doesn't</p> <p>8 to me signify it's going to be every single time or</p> <p>9 it's a requirement. To me it's the donor's need, so</p> <p>10 when the donor asks if they can pray and you just</p> <p>11 kind of pray along or listen to them and then when</p> <p>12 appropriate, which I think is also appropriate to</p> <p>13 pray when they want to pray, not necessarily every</p> <p>14 single phone call.</p> <p>15 Because I think it's important to be</p> <p>16 mindful of those people's personal lives and they</p> <p>17 may be calling quickly on their way to work or on</p> <p>18 their lunch break and may not have time to pray or</p> <p>19 may just not need that. So I don't think it should</p> <p>20 be forced as a requirement to somebody that calls or</p> <p>21 like is in that situation.</p> <p>22 Q Thank you. You mentioned training. Let</p> <p>23 me ask you a question. It's a little different</p> <p>24 direction. You mentioned looking at the website for</p> <p>25 two or three minutes to understand World Vision and</p>	<p style="text-align: right;">Page 181</p> <p>1 include?</p> <p>2 A Yeah.</p> <p>3 Q Just looking back at page six of this job</p> <p>4 description, it's fair to say you knew that it would</p> <p>5 be 9 to 11 weeks of training, right?</p> <p>6 A Yes.</p> <p>7 Q Thank you. That's helpful. I wanted to</p> <p>8 ask also about page four of this exhibit. There is</p> <p>9 a section, the heading is 03, About World Vision</p> <p>10 USA. This is where World Vision is telling you who</p> <p>11 they are. They say about halfway down, We are a</p> <p>12 global Christian humanitarian organization. Is that</p> <p>13 consistent with what your understanding of what</p> <p>14 World Vision is?</p> <p>15 A I don't really understand the word</p> <p>16 humanitarian. I think the only part I get of that</p> <p>17 word is human. But as far as being global, global I</p> <p>18 think I knew -- is global the same thing as</p> <p>19 international? I think I understood that World</p> <p>20 Vision was a huge company, for one, and that it was</p> <p>21 a Christian organization. But as far as</p> <p>22 humanitarian, I don't know what that means. To me</p> <p>23 that almost sounds like a farming word. What's the</p> <p>24 word? Isn't there a word like that that talks about</p> <p>25 farming?</p>

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<p style="text-align: right;">Page 182</p> <p>1 Q There may be. You're right. And that's I</p> <p>2 think understandable. Christian is more</p> <p>3 understandable than humanitarian for me, too. That</p> <p>4 makes sense. A little further down it says, Jesus</p> <p>5 loved at the center always. We are Christian and</p> <p>6 follow Jesus' example to show unconditional love to</p> <p>7 the poor and oppressed. Is that consistent with</p> <p>8 your understanding of who World Vision is?</p> <p>9 A At that time, yeah. But now, no.</p> <p>10 Q So what do you mean by now no?</p> <p>11 A I think Jesus shows, you know,</p> <p>12 unconditional love to the poor and oppressed. I</p> <p>13 think that in this example, being part of the LGBTQ</p> <p>14 community doesn't necessarily mean I'm poor and</p> <p>15 oppressed, but I feel like unconditional love that</p> <p>16 Jesus would have given was not given to me in</p> <p>17 this -- this job interview or in this process.</p> <p>18 Because if World Vision claims to keep Jesus' love</p> <p>19 at the center, which is unconditional love, I guess</p> <p>20 for me personally I didn't feel that. I felt</p> <p>21 shunned and less than. And I don't really know what</p> <p>22 oppressed means, but oppressed in my meaning means</p> <p>23 less than or looked down on or like you're a bad</p> <p>24 person, and that's how I felt I was treated.</p> <p>25 So I think beforehand, yeah,</p>	<p style="text-align: right;">Page 184</p> <p>1 they're putting conditions on it.</p> <p>2 Q And from what you just described it sounds</p> <p>3 like that's pretty central to your disagreement with</p> <p>4 World Vision that's at issue in this lawsuit. Is</p> <p>5 that fair?</p> <p>6 A What part?</p> <p>7 Q The idea that you and World Vision have</p> <p>8 different understandings of the unconditional love</p> <p>9 of Jesus.</p> <p>10 A Now, yes.</p> <p>11 Q Fairly central to the lawsuit we are in</p> <p>12 the middle of now is your sense that World Vision's</p> <p>13 understanding of the unconditional love of Jesus is</p> <p>14 wrong. Is that fair?</p> <p>15 A I don't agree with it, but -- I don't</p> <p>16 agree with it, but it is what it is. I think that</p> <p>17 anyone that reads that or is told that they believe</p> <p>18 in God's -- or Jesus' unconditional love, they think</p> <p>19 that God loves everybody regardless of where you've</p> <p>20 been or -- I mean people talk about dogs and their</p> <p>21 unconditional love for their owners and that's kind</p> <p>22 of what I think about when I think of unconditional</p> <p>23 love, is there's no conditions.</p> <p>24 You can be a terrible person and do</p> <p>25 terrible things, but God will still love you and</p>
<p style="text-align: right;">Page 183</p> <p>1 absolutely. I would have said, heck, yeah, World</p> <p>2 Vision definitely exemplifies God and his</p> <p>3 unconditional love and they help so many people.</p> <p>4 But after being on the inside or partially on the</p> <p>5 inside of World Vision and this whole experience, I</p> <p>6 would definitely say that I don't -- I don't agree</p> <p>7 with that anymore.</p> <p>8 Q Is it accurate to say that you have a</p> <p>9 different understanding of what the unconditional</p> <p>10 love of Jesus means than World Vision has?</p> <p>11 A Yeah. I just -- I don't -- I guess I just</p> <p>12 don't understand how there is any different</p> <p>13 definition of unconditional love. If it's not</p> <p>14 unconditional then there is some sort of condition</p> <p>15 to it, so it's not unconditional. Does that make</p> <p>16 sense?</p> <p>17 Q Yeah.</p> <p>18 A So I don't -- to me unconditional is a</p> <p>19 very cut and dry word. It means what it is or it</p> <p>20 says and there is no wiggle room, if you will, in</p> <p>21 that. Hopefully that didn't confuse you.</p> <p>22 Q No. I think I understand it. Is it fair</p> <p>23 to say that you think World Vision has a wrong</p> <p>24 understanding of the unconditional love of Jesus?</p> <p>25 A Yeah. Yeah, I think that -- yeah, because</p>	<p style="text-align: right;">Page 185</p> <p>1 forgive you and so, you know, that's I guess --</p> <p>2 sorry I got emotional. But I think for me it seems</p> <p>3 very wrong that World Vision is claiming to -- or</p> <p>4 hiding behind saying, you know, Oh, we believe in</p> <p>5 Jesus' unconditional love, but then won't hire</p> <p>6 somebody based off of who they love. So -- which</p> <p>7 I'm not hurting anybody by loving Jaclyn. So</p> <p>8 anyways, I'm sorry. I feel like I'm getting on a</p> <p>9 rant, but I didn't mean to get emotional. Sorry, I</p> <p>10 forgot the question.</p> <p>11 Q I think you've answered it and, please, no</p> <p>12 need to apologize. I am very grateful for your</p> <p>13 authenticity. I appreciate the conversation we have</p> <p>14 had. Don't feel any need to apologize.</p> <p>15 Are we at a point where you'd like to</p> <p>16 take a break for a few minutes?</p> <p>17 A Yeah.</p> <p>18 Q Is five minutes enough or would you like a</p> <p>19 little bit longer?</p> <p>20 A No. That's good.</p> <p>21 MR. WARD: Very good. Off the record at</p> <p>22 3:42 Eastern Time. Thank you.</p> <p>23 * * *</p> <p>24 (Whereupon, a brief recess was taken.)</p> <p>25 * * *</p>

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<p style="text-align: right;">Page 186</p> <p>1 MR. WARD: Back on the record at 3:49 p.m.</p> <p>2 BY MR. WARD:</p> <p>3 Q Ms. McMahon, is it okay to proceed now?</p> <p>4 A Yes.</p> <p>5 Q Thank you. I'd like to ask you a little</p> <p>6 bit more about this overall employment process. Let</p> <p>7 me kind of track things out here. So we have been</p> <p>8 talking about the job description and let me wrap</p> <p>9 that up by saying, do you agree that the document we</p> <p>10 have marked as Exhibit 8 is a true and accurate copy</p> <p>11 of the job description that you looked at when you</p> <p>12 applied to World Vision for employment?</p> <p>13 A Yes.</p> <p>14 Q Thank you. So now you looked at the job</p> <p>15 description. Can you tell me a little bit about</p> <p>16 what you did to apply? What did you fill out or</p> <p>17 complete?</p> <p>18 A I don't remember exactly, but I would have</p> <p>19 hit on Indeed to -- I think it says maybe Apply Now</p> <p>20 and either fill out Indeed's application or I don't</p> <p>21 remember if World Vision made you go to their</p> <p>22 website to apply. But I would have done one of the</p> <p>23 two, filled out the application, attached my resume,</p> <p>24 all that, and then waited for a response.</p> <p>25 Q When you say you attached your resume, am</p>	<p style="text-align: right;">Page 188</p> <p>1 (Whereupon, the above-mentioned</p> <p>2 document was marked for</p> <p>3 identification as Exhibit-9.)</p> <p>4 * * *</p> <p>5 BY MR. WARD:</p> <p>6 Q Please take a minute and look at this and</p> <p>7 let me know when you've had a chance to complete</p> <p>8 reviewing it.</p> <p>9 A (Witness complies.) Okay.</p> <p>10 Q Do you recognize that document?</p> <p>11 A Yeah.</p> <p>12 Q What is it?</p> <p>13 A I believe it was the confirmation that</p> <p>14 World Vision had received my job application and</p> <p>15 kind of defining what would happen next.</p> <p>16 Q So that's a true and accurate copy of the</p> <p>17 E-mail that you received; is that right?</p> <p>18 A Yeah.</p> <p>19 Q Very good. Thank you. Let me upload</p> <p>20 another document. We'll mark this as Exhibit 10 to</p> <p>21 your deposition, please.</p> <p>22 * * *</p> <p>23 (Whereupon, the above-mentioned</p> <p>24 document was marked for</p> <p>25 identification as Exhibit-10.)</p>
<p style="text-align: right;">Page 187</p> <p>1 I right in thinking that's the same resume that we</p> <p>2 have already put in as an Exhibit? I believe it's</p> <p>3 Exhibit 6?</p> <p>4 A Yes.</p> <p>5 Q Thank you. Do you remember the date that</p> <p>6 you submitted that application?</p> <p>7 A I do not.</p> <p>8 Q So what happened next in the process?</p> <p>9 A As far as I can remember, I think</p> <p>10 Catherine Miolla either E-mailed me or called me and</p> <p>11 wanted to talk more either I think about possibly</p> <p>12 that pre-screening interview that I talked about. I</p> <p>13 don't know if that was the technical word for it,</p> <p>14 pre-screening, but like the mini interview in a way.</p> <p>15 Q And did you do anymore research into World</p> <p>16 Vision in between submitting your application and</p> <p>17 getting that E-mail from Catherine Miolla?</p> <p>18 A No, not that I can remember at least.</p> <p>19 Q Okay. If you'll give me a moment I think</p> <p>20 I can bring that E-mail into our vision.</p> <p>21 A Okay.</p> <p>22 Q Let me upload -- it's a slightly different</p> <p>23 document. We'll mark this as Exhibit 9 to your</p> <p>24 deposition.</p> <p>25 * * *</p>	<p style="text-align: right;">Page 189</p> <p>1 * * *</p> <p>2 BY MR. WARD:</p> <p>3 Q Ms. McMahon, please take a few minutes and</p> <p>4 review that as well.</p> <p>5 A (Witness complies.)</p> <p>6 Q Do you recognize this document?</p> <p>7 A Yeah.</p> <p>8 Q Can you tell me what it is, please?</p> <p>9 A I believe it's the E-mail thread, if you</p> <p>10 will, and my communications with Catherine Miolla,</p> <p>11 who is someone with HR, regarding setting up some</p> <p>12 interviews. And then also some -- an assessment I</p> <p>13 had to complete as well as background check and</p> <p>14 references that I had to do. So our communications</p> <p>15 on getting those things completed, like scheduled</p> <p>16 and completed.</p> <p>17 Q Thank you. This is one of those E-mails</p> <p>18 where I think we have to start at the bottom and</p> <p>19 work up to the top to get it in chronological order.</p> <p>20 So if you would be so kind to look at the end of the</p> <p>21 E-mail. Once you get rid of all the signature</p> <p>22 blocks I think this is on pages six and seven of the</p> <p>23 Exhibit. That's an E-mail on December 1st, 2020 to</p> <p>24 you from Catherine Miolla. Is that the first E-mail</p> <p>25 that you received from Catherine Miolla?</p>

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<p style="text-align: right;">Page 190</p> <p>1 A I believe so, yeah, as far as I can</p> <p>2 remember.</p> <p>3 Q Then it says, Pay of 12 or \$15 depending</p> <p>4 on location. Did she clarify at any point whether</p> <p>5 it would be 12 or \$15 based on your location?</p> <p>6 A I believe on one of the times we talked on</p> <p>7 the phone she looked up my ZIP Code or something and</p> <p>8 it was determined based off of that. I believe that</p> <p>9 I was offered 17 an hour, but I could be wrong. But</p> <p>10 I know it was at least the 15, I think. But I do</p> <p>11 know I had to talk with her first and she, I</p> <p>12 believe, looked it up through the ZIP Code. It had</p> <p>13 something to do with the cost of living around my</p> <p>14 area or something like that.</p> <p>15 Q If you would scroll up a little bit to</p> <p>16 page five, there is a December 4th E-mail from</p> <p>17 Catherine Miolla to you and it refers to, I just</p> <p>18 initiated the on-line assessment that I mentioned,</p> <p>19 so you should be getting an E-mail from the system,</p> <p>20 ED simulation, hopefully to your inbox. Do you</p> <p>21 remember receiving that E-mail?</p> <p>22 A Yeah.</p> <p>23 Q Do you remember taking the on-line</p> <p>24 assessment?</p> <p>25 A I do, yes.</p>	<p style="text-align: right;">Page 192</p> <p>1 A If I'm remembering this phone call in my</p> <p>2 head as the one that you're referring to, I do</p> <p>3 remember a phone call where I talked with somebody</p> <p>4 regarding my faith or religious views in a sense of</p> <p>5 kind of like you asked, like my religious</p> <p>6 background. I remember telling them about -- or</p> <p>7 maybe it was my statement of faith or something like</p> <p>8 that. But I remember telling them about the mission</p> <p>9 trip to Uganda, I remember telling them about</p> <p>10 sponsoring somebody -- or a child through World</p> <p>11 Vision. Those were the main parts of that</p> <p>12 conversation that I remembered, because I remember</p> <p>13 feeling like I did really well for that portion of</p> <p>14 the interview. If that's the conversation that I'm</p> <p>15 thinking it was, which I think it is, then I do</p> <p>16 remember talking about like my faith, my, probably,</p> <p>17 I would assume my past work experiences and other</p> <p>18 things that would pertain to the job.</p> <p>19 Q Do you remember the more mundane aspects</p> <p>20 of that, for example, what they talked about the job</p> <p>21 would involve?</p> <p>22 A I don't, but I do know they talked about</p> <p>23 it being a kind of call center type situation,</p> <p>24 talking with donors or perspective donors about</p> <p>25 World Vision and like how their donations or</p>
<p style="text-align: right;">Page 191</p> <p>1 Q What was involved in the on-line</p> <p>2 assessment?</p> <p>3 A From what I remember it was a lot of like</p> <p>4 mock situations with customer service details. So</p> <p>5 for example, like a pretend E-mail of a customer</p> <p>6 needing help with an order or needing to confirm</p> <p>7 that their order either was correct or maybe also</p> <p>8 confirming some data input in a sense of making sure</p> <p>9 that the customer's name, information, order such as</p> <p>10 that was correct. So it felt like the assessment</p> <p>11 was -- and I think there might have been typing</p> <p>12 involved, like typing speed maybe, I don't know,</p> <p>13 involved. But just like an online assessment that</p> <p>14 could in my opinion help them see how I would do on</p> <p>15 the job, or how I would do in that position for the</p> <p>16 customer service role.</p> <p>17 Q And this E-mail refers to -- let me find</p> <p>18 the right spot. It refers to that you had a</p> <p>19 telephone conversation with Ms. Miolla on that day</p> <p>20 of the 4th; is that right?</p> <p>21 A Yes. I don't remember that phone call,</p> <p>22 but, yeah.</p> <p>23 Q So on the 4th do you remember talking with</p> <p>24 Ms. Miolla about some information about World</p> <p>25 Vision?</p>	<p style="text-align: right;">Page 193</p> <p>1 sponsorships could help, you know, children and</p> <p>2 everything. Those were the main points. But I</p> <p>3 don't remember any of like the nitty-gritty details,</p> <p>4 if you will.</p> <p>5 Q Do you remember being specifically asked</p> <p>6 about whether you had any -- pardon me. Let me</p> <p>7 begin that again new. Do you remember any</p> <p>8 discussion about the standards of conduct that World</p> <p>9 Vision had for its employees?</p> <p>10 A Yes, I do remember that.</p> <p>11 Q What do you remember about that</p> <p>12 discussion?</p> <p>13 A I remember they read off a list about</p> <p>14 their standards of conduct and one of them being --</p> <p>15 the one that obviously stood out the most to me was</p> <p>16 the one about marriage.</p> <p>17 Q So that stood out to you?</p> <p>18 A Yes.</p> <p>19 Q Why did it stand out to you?</p> <p>20 A To be kind of blunt, I thought it was a</p> <p>21 little weird and I was kind of confused. I didn't</p> <p>22 know the intention behind it, if you will, so I</p> <p>23 think mostly that.</p> <p>24 Q Did you ask any questions to clarify it?</p> <p>25 A No.</p>

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<p style="text-align: right;">Page 194</p> <p>1 Q Did you ask any questions pushing back on</p> <p>2 it at all?</p> <p>3 A Um-um, not that I can think of.</p> <p>4 Q Did you say anything to indicate that you</p> <p>5 were currently in a same-sex marriage at that time?</p> <p>6 A Um-um.</p> <p>7 Q I'm sorry --</p> <p>8 A No.</p> <p>9 Q Thank you. So the records that we have</p> <p>10 says that you were asked the question -- actually,</p> <p>11 let me back up a step. That you were told that</p> <p>12 World Vision seeks individuals who not only share</p> <p>13 our Christian faith and values but also live them</p> <p>14 out both in at and outside of work. Do you</p> <p>15 remembered that being said?</p> <p>16 A I think briefly, yeah.</p> <p>17 Q And do you remember them talking about the</p> <p>18 lens for determining biblically based behavior would</p> <p>19 be to ask, does the behavior glorify God, does it</p> <p>20 build up other Christians and encourage love and</p> <p>21 good deeds, is it good stewardship, meaning</p> <p>22 responsible use of his resources, and is the</p> <p>23 behavior consistent with the teachings of scripture?</p> <p>24 Do you remember that being shared?</p> <p>25 A I don't remember that, but I'm sure it</p>	<p style="text-align: right;">Page 196</p> <p>1 expectations we have of employee compliance with</p> <p>2 them or of our organizational culture and values,</p> <p>3 and your answer was, No, not at all; is that</p> <p>4 correct?</p> <p>5 A Yes.</p> <p>6 Q Then they asked a question saying that,</p> <p>7 It's important that you know of World Vision's</p> <p>8 expectations so that you can decide if we are the</p> <p>9 right organization for you. Are you willing and</p> <p>10 able to comply with the standards of conduct if</p> <p>11 employed by World Vision? Do you remember being</p> <p>12 asked that question?</p> <p>13 A Yeah.</p> <p>14 Q And your answer was, I'm aligned, yes.</p> <p>15 And these notes have an explanation point after the</p> <p>16 yes. Is that how you answered that question?</p> <p>17 A Yeah. But I would assume that meant it</p> <p>18 was a confident yes. So, yeah.</p> <p>19 Q Seems like a fair assumption. And the</p> <p>20 question was asked, Based on our conversation today</p> <p>21 do you feel that World Vision seems like a good fit</p> <p>22 for you? And the answer recorded is, Yeah,</p> <p>23 absolutely; is that correct?</p> <p>24 A Yeah.</p> <p>25 Q So overall is this an accurate reflection</p>
<p style="text-align: right;">Page 195</p> <p>1 was.</p> <p>2 Q And then do you remember them talking</p> <p>3 about examples of behaviors that we believe are not</p> <p>4 in alignment with our standards of conduct and,</p> <p>5 therefore, unacceptable behavior for employees?</p> <p>6 A Yeah, I remember that.</p> <p>7 Q And do you remember them saying that that</p> <p>8 includes any sexual conduct outside of a marriage,</p> <p>9 World Vision defines marriage as between a man and a</p> <p>10 woman?</p> <p>11 A Yeah, I remember them saying that.</p> <p>12 Q There were several other examples I</p> <p>13 believe they mentioned. Do you recall other</p> <p>14 examples as well being discussed?</p> <p>15 A I believe there were some in reference to</p> <p>16 using like illegal substances. That's all I can</p> <p>17 really think of.</p> <p>18 Q I'm happy to list some of them. For</p> <p>19 example, ongoing substance or alcohol abuse,</p> <p>20 harassment of any type, malicious gossip, fighting,</p> <p>21 et cetera. Do those sounds familiar? Are those</p> <p>22 what they said?</p> <p>23 A Yeah.</p> <p>24 Q Now, they asked a question, Do you have</p> <p>25 any questions about our standards of conduct, the</p>	<p style="text-align: right;">Page 197</p> <p>1 of what you talked about during that call on</p> <p>2 December 4th, 2020?</p> <p>3 A Yeah. Yes.</p> <p>4 Q Thank you. Was there a reason that you</p> <p>5 didn't at that time mention that you were in a</p> <p>6 same-sex marriage?</p> <p>7 A Yeah, because I didn't think that at that</p> <p>8 point it was -- I mean, I guess I didn't think it</p> <p>9 was important, because I've never been asked that or</p> <p>10 about my marriage in a job interview or never</p> <p>11 brought it up. So that I guess it just didn't</p> <p>12 really come to my -- come to my mind, if that makes</p> <p>13 sense.</p> <p>14 Q At that time did you understand being in a</p> <p>15 same-sex marriage to be consistent with or</p> <p>16 inconsistent with World Vision's standards of</p> <p>17 conduct as they were explained to you on that call?</p> <p>18 A Can you rephrase that?</p> <p>19 Q Is there something about it you don't</p> <p>20 understand?</p> <p>21 A Like what -- can you repeat it? Sorry.</p> <p>22 Q I'll take another run at it. Let me see</p> <p>23 if this is more comprehensible. At the time you</p> <p>24 answered those questions did you understand that</p> <p>25 your being in a same-sex marriage was inconsistent</p>

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<p style="text-align: right;">Page 198</p> <p>1 with World Vision's standards of conduct?</p> <p>2 A I didn't think that -- I knew -- well, I</p> <p>3 didn't -- I thought more so that kind of like I</p> <p>4 mentioned before, like I thought of it more of like</p> <p>5 an agree to disagree kind of situation -- or not</p> <p>6 situation, but like, for example -- I don't know.</p> <p>7 Like kind of -- I hate to put it in terms of</p> <p>8 marketing, but almost like if a donor calls and</p> <p>9 says, Hey, does World Vision do drug tests on their</p> <p>10 employees, then that would be something where I</p> <p>11 would say like, Yeah, as part of World Vision's code</p> <p>12 of conduct, I think it's called, they believe -- or</p> <p>13 we stand by our employees being drug free, you know,</p> <p>14 alcohol free, so we can best help serve you and</p> <p>15 serve God. So I would think of it more as like</p> <p>16 that.</p> <p>17 Or if somebody called and said, Hey,</p> <p>18 what is World Vision's view on marriage, then I</p> <p>19 would state the one about World Vision's belief</p> <p>20 that, you know, marriage is between a man and a</p> <p>21 woman and I think anything outside of it is --</p> <p>22 something. I don't remember exactly. Or just that</p> <p>23 marriage is between a man and a woman. So I thought</p> <p>24 of it more as would I be fine with explaining these</p> <p>25 things to, you know, donors, people calling in to</p>	<p style="text-align: right;">Page 200</p> <p>1 not that it's their code of conduct, but they always</p> <p>2 have to say, you know, Have a blessed day or It's my</p> <p>3 pleasure. So I thought of it almost as a way that</p> <p>4 they, as I kind of mentioned, market themselves to</p> <p>5 others as their trademark or -- does that kind of</p> <p>6 make sense what I'm saying?</p> <p>7 Q I think I'm understanding what you're</p> <p>8 saying. Just to make sure, you understood at this</p> <p>9 time that you might be required in this position you</p> <p>10 were applying for to tell donors what World Vision</p> <p>11 believed; is that correct?</p> <p>12 A Uh-huh.</p> <p>13 Q And you understood at this time in the</p> <p>14 position you were applying for you'd be required to</p> <p>15 pray with donors in appropriate circumstances; is</p> <p>16 that correct?</p> <p>17 A Yeah. Like I knew that if they -- like to</p> <p>18 pray with them if they asked, but like I said</p> <p>19 before, I didn't think it was a requirement or</p> <p>20 something that was -- they just -- the application</p> <p>21 made it seem like it was just like a here and there,</p> <p>22 if it's asked about kind of thing, not that it was a</p> <p>23 requirement.</p> <p>24 Q So did you understand that customer</p> <p>25 service representatives would be required to speak</p>
<p style="text-align: right;">Page 199</p> <p>1 the call center, or I guess maybe other employees if</p> <p>2 they asked or anyone that I was, you know -- friends</p> <p>3 or family that asked.</p> <p>4 So I think -- so I think I agreed</p> <p>5 with them in a sense that like I agreed that they --</p> <p>6 and was okay with them having these views, because I</p> <p>7 didn't feel like it involved the work that I was</p> <p>8 going to be doing. And from my understanding they</p> <p>9 were an EE -- they as in World Vision is an EEOC</p> <p>10 employer, so I thought that that meant that there</p> <p>11 was no threat of if I said that, you know, I didn't</p> <p>12 agree with that or whatever, that I would be fired</p> <p>13 or, you know, or whatnot. So I think hopefully</p> <p>14 that's not confusing.</p> <p>15 But I think all in all, I thought I</p> <p>16 had the protection of the law for them -- for World</p> <p>17 Vision, sorry, to not be able to say, you know, If</p> <p>18 you tell us that you're gay we are not going to hire</p> <p>19 you, or if you tell us you're married to a woman we</p> <p>20 are not going to hire you. Because I didn't think</p> <p>21 it was legally allowed, so that's why I thought of</p> <p>22 the code of conduct more as like a what we tell</p> <p>23 people in a sense.</p> <p>24 Kind of like Chick-Fil-A. Everybody</p> <p>25 knows their drive-throughs are great, so I feel like</p>	<p style="text-align: right;">Page 201</p> <p>1 on behalf of World Vision about what World Vision</p> <p>2 believed?</p> <p>3 A Yeah, I think so.</p> <p>4 Q So let me ask you a little bit about your</p> <p>5 answer to this question, because the question that</p> <p>6 was recorded as you've affirmed it was in fact</p> <p>7 asked, Are you willing and able to comply with the</p> <p>8 standards of conduct if employed by World Vision?</p> <p>9 What did you understand comply to mean?</p> <p>10 A I think comply means to be in agreement</p> <p>11 with, to me. To comply, to be in agreement with, to</p> <p>12 advocate for like while you're at work or in a sense</p> <p>13 of for World Vision, almost like you're the sounding</p> <p>14 board, if you will, for World Vision. So to comply</p> <p>15 was that you are in agreement and fine with saying,</p> <p>16 you know -- stating what World Vision believed, kind</p> <p>17 of like I mentioned before, like if they believed it</p> <p>18 even if I didn't personally believe it, I'm okay</p> <p>19 with them believing it because that's their choice</p> <p>20 and their definition of their own Christianity and</p> <p>21 what it means to them. So, yeah.</p> <p>22 Q So you believed you were able to I think</p> <p>23 you used the word advocate, to advocate their</p> <p>24 position on marriage if anyone called and you were</p> <p>25 talking to them about that; is that correct?</p>



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<p style="text-align: right;">Page 202</p> <p>1 A Yeah. I mean I don't feel like, me</p> <p>2 personally, I would be comfortable saying much about</p> <p>3 it. But just stating if they said, What's World</p> <p>4 Visions' view on marriage, I would respond with</p> <p>5 their exact words of World Vision defines marriage</p> <p>6 between a man and a woman. And if they asked</p> <p>7 questions or there was any pushback with that, I</p> <p>8 think at that point I would either seek direction</p> <p>9 from somebody like higher up or just say that I</p> <p>10 wasn't sure how to answer that. Because I think</p> <p>11 that does get a little bit -- that's something I</p> <p>12 wouldn't be comfortable answering, because I feel</p> <p>13 like that gets a little wishy washy and I wouldn't</p> <p>14 want to say the wrong thing and turn somebody away</p> <p>15 or I wouldn't want to get in trouble. So I would</p> <p>16 try to stick to the script, if you will.</p> <p>17 Q So you would not have been comfortable</p> <p>18 talking with a donor beyond the initial script. Is</p> <p>19 that fair?</p> <p>20 A No. I would about like superficial things</p> <p>21 for sure. Like -- but in terms of controversial</p> <p>22 things like that, one, I would hope they wouldn't</p> <p>23 come up in a donor customer service job. And two,</p> <p>24 I -- yeah, I would just -- I'd be fine with talking</p> <p>25 about them if they wanted to talk about their</p>	<p style="text-align: right;">Page 204</p> <p>1 political and that's a gray area, if you will. So I</p> <p>2 wouldn't -- like I said, I wouldn't want to say the</p> <p>3 wrong thing. So I would only feel comfortable</p> <p>4 saying, Our code of conduct is this. If you have</p> <p>5 any questions or want to talk about it more with</p> <p>6 somebody, I'd love to direct you to somebody that</p> <p>7 has more information regarding that. That would</p> <p>8 definitely be something that I would give them an</p> <p>9 answer, but also say, If you want more, let me put</p> <p>10 it in somebody else's hands.</p> <p>11 Q Thank you. Let me ask about a different</p> <p>12 document now. Make sure I'm getting the right</p> <p>13 document. Before I give you this document to look</p> <p>14 at there is the October 4th interview -- I'm sorry.</p> <p>15 There is the December 4th interview that you did</p> <p>16 with Catherine Miolla, there is the assessment that</p> <p>17 you completed. What happened next in the process?</p> <p>18 A So I think after the assessment she wanted</p> <p>19 me to do I believe it was a Zoom call with -- I</p> <p>20 don't remember if she was on the call, but it was</p> <p>21 with the manager, I believe, of the customer service</p> <p>22 call center. I believe he was a male. I don't</p> <p>23 remember his name, though.</p> <p>24 Q If I said it was Anthony, would that sound</p> <p>25 familiar?</p>
<p style="text-align: right;">Page 203</p> <p>1 husband or their wife, sure, fine. Or if they were</p> <p>2 in a same-sex relationship, sure, fine. I wouldn't</p> <p>3 be like, Oh, sorry we are not going to help you or</p> <p>4 we are not going to let you sponsor a child. I</p> <p>5 would stay as professional as I could, because I</p> <p>6 don't feel like my personal life and marriage, one,</p> <p>7 is the donor's business and also not really relevant</p> <p>8 to the job. So I don't think it should come in up</p> <p>9 in that sense.</p> <p>10 But I don't really know what the</p> <p>11 customer service job is like really and, you know,</p> <p>12 how people talk or what they do exactly. But this</p> <p>13 is just me speaking from experience of like what</p> <p>14 I've witnessed, if you will, in customer service or</p> <p>15 jobs I've done that are similar to that.</p> <p>16 Q Thank you. My last question may have been</p> <p>17 a little on the broad side. Let me ask it in a very</p> <p>18 focused way. With regard specifically to the issue</p> <p>19 of World Vision's understanding that the biblical</p> <p>20 covenant of marriage is between a man and a woman,</p> <p>21 did I understand correctly that you would not have</p> <p>22 felt comfortable talking with a donor beyond the</p> <p>23 first level of communication on that?</p> <p>24 A Yeah, because I don't -- I think, then,</p> <p>25 that gets -- for me personally that gets more so</p>	<p style="text-align: right;">Page 205</p> <p>1 A Probably, yeah.</p> <p>2 Q So when did you do that interview?</p> <p>3 A I don't remember, but I know that was like</p> <p>4 the next step in the interview process. But I don't</p> <p>5 remember what day or time or whatever it was.</p> <p>6 Q And what was talked about in that</p> <p>7 interview?</p> <p>8 A I really don't remember, but I think</p> <p>9 mostly about the job duties possibly. I don't know.</p> <p>10 Sorry.</p> <p>11 Q That's quite all right. So you said there</p> <p>12 was that one that was done as a video conference.</p> <p>13 What happened next in the process?</p> <p>14 A So I think from there I don't remember.</p> <p>15 But I want to say that was maybe when I got the</p> <p>16 official offer letter, but I don't remember.</p> <p>17 Q Let me see if I can provide some documents</p> <p>18 that may help us on that one. Let's take a look</p> <p>19 next at what we'll mark next as Exhibit 11 to your</p> <p>20 deposition.</p> <p>21 A Okay.</p> <p>22 * * *</p> <p>23 (Whereupon, the above-mentioned</p> <p>24 document was marked for</p> <p>25 identification as Exhibit-11.)</p>

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<p style="text-align: right;">Page 206</p> <p style="text-align: center;">* * *</p> <p>1 BY MR. WARD:</p> <p>2 Q Do you recognize this document?</p> <p>3 A Yes, I do.</p> <p>4 Q What is it?</p> <p>5 A Looks like maybe the next step of the</p> <p>6 interview process, which was a supplemental</p> <p>7 application which included references, one being</p> <p>8 from a recent manager and then a spiritual</p> <p>9 reference. Yeah.</p> <p>10 Q Do you remember who you provided as your</p> <p>11 references?</p> <p>12 A I do not. I really don't remember this --</p> <p>13 having a timed application doesn't seem familiar to</p> <p>14 me. I'm sure I did it, but I don't remember.</p> <p>15 Q So I think that takes us to the 18th of</p> <p>16 December. Let me ask a broader question. While all</p> <p>17 this is going on, who are you talking to about the</p> <p>18 application process?</p> <p>19 A I don't remember. I think at that time</p> <p>20 probably just Jaclyn, because I wouldn't really</p> <p>21 bring it up again unless I had gotten an offer</p> <p>22 unless it was a big step in the process. I may have</p> <p>23 mentioned, Yeah, I have an interview or a Zoom. I</p> <p>24 thought of the interview process more as in phases,</p> <p>25</p>	<p style="text-align: right;">Page 208</p> <p>1 BY MR. WARD:</p> <p>2 Q Yes, specifically with regard to the</p> <p>3 position on marriage.</p> <p>4 A No. At that point it didn't, like I</p> <p>5 mentioned before, it didn't seem like a threat to me</p> <p>6 or anything I needed to be worried about. So I</p> <p>7 don't recall bringing it up to anybody.</p> <p>8 Q I'm a little bit confused in part because</p> <p>9 your counsel objected on the basis of</p> <p>10 attorney/client privilege, which makes me think</p> <p>11 there was a conversation with counsel. I don't want</p> <p>12 to know the contents about that conversation, but</p> <p>13 can you please tell me the first date on which you</p> <p>14 spoke with anyone about a possible legal matter</p> <p>15 involving World Vision?</p> <p>16 A Okay. So I did talk with my wife when the</p> <p>17 job was rescinded about why it was rescinded.</p> <p>18 Q So that would have been on or about</p> <p>19 January 8th, 2021; is that correct?</p> <p>20 A Yeah, I believe so.</p> <p>21 Q So prior to January 8th, 2021 did you talk</p> <p>22 with anyone about World Vision's position on</p> <p>23 marriage?</p> <p>24 A Not that I can remember.</p> <p>25 Q Prior to January 8th, 2021 did you talk to</p>
<p style="text-align: right;">Page 207</p> <p>1 like the first part, the pre-screening, and then the</p> <p>2 next part was the phone interview -- or not phone</p> <p>3 interview, I'm sorry, the video interview. And then</p> <p>4 I don't remember doing this application, but I guess</p> <p>5 that was the next part or phase of interview.</p> <p>6 So if anything I would have maybe</p> <p>7 mentioned like, Yeah, I have a Zoom interview</p> <p>8 tomorrow with the call center. But that would be</p> <p>9 probably only Jaclyn and maybe my family, but that</p> <p>10 would be it.</p> <p>11 Q Now, it seems like the position that World</p> <p>12 Vision asked you about with regard to marriage was</p> <p>13 at least somewhat memorable. Did you discuss that</p> <p>14 position with anyone during the time between that</p> <p>15 December 4th interview and getting the offer letter?</p> <p>16 A Not that I can remember.</p> <p>17 MR. WOLNOWSKI: Objection to the extent it</p> <p>18 calls for attorney/client privilege materials</p> <p>19 or spousal-privileged materials. You can</p> <p>20 answer the question, Aubry, if you understand</p> <p>21 it.</p> <p>22 THE WITNESS: Okay. So at that point you</p> <p>23 asked if I talked to anybody about the</p> <p>24 interview or the World Vision code of conduct</p> <p>25 or whatever?</p>	<p style="text-align: right;">Page 209</p> <p>1 anyone about possible legal action against World</p> <p>2 Vision?</p> <p>3 A No.</p> <p>4 Q So prior to January 8th you didn't talk to</p> <p>5 a single human being about World Vision's position</p> <p>6 on marriage; is that correct?</p> <p>7 A Correct, not that I'm familiar with, no.</p> <p>8 It was only after the job offer was rescinded that I</p> <p>9 had sought -- sought out legal help and had</p> <p>10 expressed that to other people.</p> <p>11 Q To be clear, my question is not just about</p> <p>12 legal help. I'm asking about anyone whatsoever.</p> <p>13 A Before the January 8th?</p> <p>14 Q Before January 8th.</p> <p>15 A No, not that I can remember. Because like</p> <p>16 I said, it didn't feel like a threat to me, because</p> <p>17 I knew World Vision was an EEOC employer, so them</p> <p>18 not believing -- or them having the Christian views,</p> <p>19 if you will, that marriage is between a man and a</p> <p>20 woman was just -- that's what it was, you know,</p> <p>21 that's what they thought and that was it. It was</p> <p>22 almost like a just little like part of the</p> <p>23 application and then we move on.</p> <p>24 Q Let's go from you complete the online</p> <p>25 application, you have the video interview. And I'm</p>

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<p style="text-align: right;">Page 210</p> <p>1 sorry, you may have said this, but what happened</p> <p>2 next in the process?</p> <p>3 A After the video interview?</p> <p>4 Q Yes.</p> <p>5 A I think you had said this E-mail was sent</p> <p>6 about the supplemental application --</p> <p>7 Q Yes, you're right.</p> <p>8 A -- to fill out. And before I had</p> <p>9 mentioned how between I believe it was probably this</p> <p>10 and the official offer letter there was a holiday,</p> <p>11 which I believe now was Christmas, where Catherine</p> <p>12 Miolla said it might take her a little bit to get</p> <p>13 back to me, but that was because of the holidays.</p> <p>14 So I believe this application, maybe I talked with</p> <p>15 Catherine again and then the holiday and then we</p> <p>16 talked again after that.</p> <p>17 Q Thank you. That's helpful. On the</p> <p>18 references, I believe you said you don't remember</p> <p>19 who you provided as references; is that correct?</p> <p>20 A Correct.</p> <p>21 Q Did any of your references share their</p> <p>22 reference with you or were those completely</p> <p>23 confidential from you?</p> <p>24 A I think they were confidential, yeah,</p> <p>25 because they -- I think I just gave Catherine the</p>	<p style="text-align: right;">Page 212</p> <p>1 World Vision wanting to hire me for the customer</p> <p>2 service rep job.</p> <p>3 Q Is this what you were thinking of when you</p> <p>4 talked about getting the offer next?</p> <p>5 A Yeah. Yeah.</p> <p>6 Q Let me ask you a few questions about this</p> <p>7 job. First of all, in the first paragraph it refers</p> <p>8 to the full-time position of donor/customer service</p> <p>9 representative trainee, DSR trainee. Is that your</p> <p>10 understanding of the job that you were offered?</p> <p>11 A Yeah. Yeah, for sure. It is kind of</p> <p>12 confusing, because the Indeed application I believe</p> <p>13 had a different title. Everything had kind of</p> <p>14 different titles, so it was just another title.</p> <p>15 But, yeah, I guess that's the one I was officially</p> <p>16 hired for. Yeah.</p> <p>17 Q In the sentence near the bottom of that</p> <p>18 paragraph says, Consideration for employment as a</p> <p>19 donation services representative one is dependent</p> <p>20 upon successful completion of the training and</p> <p>21 evaluation program predicted to be between 9 and 11</p> <p>22 weeks. Did you understand that this position that</p> <p>23 you had been offered was only for 9 to 11 weeks?</p> <p>24 A The position was only 9 to 11 weeks?</p> <p>25 Q That's right.</p>
<p style="text-align: right;">Page 211</p> <p>1 references and then just let her take it from there.</p> <p>2 Q So after Christmas, after the holiday,</p> <p>3 what happens next?</p> <p>4 A I guess -- I don't remember if I got the</p> <p>5 offer or offer letter before or after Christmas, but</p> <p>6 I believe that that came next. Because I think she</p> <p>7 had to wait for the references and then, yeah, so I</p> <p>8 believe maybe the offer letter, but I'm not a</p> <p>9 hundred percent sure.</p> <p>10 Q Let me upload another document. We'll</p> <p>11 mark this Exhibit 12. It's documents Bates number</p> <p>12 P00009 and 000010.</p> <p>13 * * *</p> <p>14 (Whereupon, the above-mentioned</p> <p>15 document was marked for</p> <p>16 identification as Exhibit-12.)</p> <p>17 * * *</p> <p>18 BY MR. WARD:</p> <p>19 Q If you would, please, Ms. McMahon, please</p> <p>20 take a look at it and see if you recognize this</p> <p>21 document.</p> <p>22 A Yeah, I recognize it for sure.</p> <p>23 Q What is it?</p> <p>24 A Oh, sorry. It was the offer letter that</p> <p>25 was sent to me I believe by Catherine Miolla about</p>	<p style="text-align: right;">Page 213</p> <p>1 A No. I thought it was like for a</p> <p>2 probationary period. Like most jobs have the 90-day</p> <p>3 or set probationary period where they see how you're</p> <p>4 doing and if they want to continue on with you as</p> <p>5 their employee. But I didn't know this job was only</p> <p>6 9 to 11 weeks long.</p> <p>7 Q Do you see the last sentence of that</p> <p>8 paragraph, Should a separation occur you'll be</p> <p>9 eligible for payment for hours worked only?</p> <p>10 A Yeah, I see that.</p> <p>11 Q So did you understand that to relate to</p> <p>12 the training program of 9 to 11 weeks?</p> <p>13 A I guess.</p> <p>14 Q Let me ask it a different way. Did you</p> <p>15 understand at the time of receiving this offer</p> <p>16 letter that you had to go through 9 to 11 weeks of</p> <p>17 training?</p> <p>18 A Yeah, I knew there had to be training.</p> <p>19 But I still considered being hired as an employee,</p> <p>20 because I think for most jobs you have to have a</p> <p>21 training or most jobs -- like my current job -- or</p> <p>22 my past and current job has had -- most of them have</p> <p>23 had the 90 days probationary period where they see</p> <p>24 how you do, they train you, see if you'll be a good</p> <p>25 fit and then go from there and either continue to</p>

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1 have you as an employee or I guess fire you. So  
2 that's kind of how I interpreted it, as all jobs  
3 need training, especially a call center type job  
4 with different software, different scripts and  
5 things like that. So I think I interpreted it more  
6 as like a, You're hired as an employee, however, we  
7 will have like a 90-days followup to see how you're  
8 doing and go from there kind of thing.

9 Q Did you understand -- go ahead.

10 A Did that answer the question?

11 Q I think so. Did you understand that if  
12 you didn't complete the training successfully you  
13 would no longer be employed with World Vision?

14 A I guess at that point, no, I didn't  
15 understand that. I thought of it -- I mean, I  
16 guess. I guess I didn't really worry about it,  
17 because I've never not done well in one of the  
18 probationary periods. So I've never worried about,  
19 you know, being fired after that 90 days. So for me  
20 I felt like it was more of just like a, I don't  
21 know, I don't want to say warning, but just a, Hey,  
22 we want to make sure all our employees do a great  
23 job, so for 90 days we have you on our radar and  
24 then if we feel like you're doing great then you'll  
25 move on. So that's how I interpreted it, I think.

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1 I don't know if that answered your question. I'm  
2 sorry.

3 Q Would you agree this offer letter is clear  
4 that you have to complete the training in order to  
5 remain employed by World Vision?

6 A Yeah.

7 Q Thank you. Let's keep moving. What is  
8 the next thing that occurs after you receive this  
9 offer letter dated January 5th, 2021?

10 A At that point I did -- I know I looked  
11 back at the offer letter to see if there were any  
12 mentions of like employee perks, if you will, or  
13 benefits. So at that point I had E-mailed Catherine  
14 Miolla asking if, because I was pregnant, if -- and  
15 so I was referencing the 90-day probationary period  
16 in my head of like a lot of employers that you work  
17 for you're not eligible for benefits until after  
18 that probationary period. So I E-mailed her because  
19 I knew if my start date was in January -- I mean,  
20 sorry, February 1st of 2021, that by the time I was  
21 supposed to have E[REDACTED] I wouldn't be eligible for  
22 full benefits, if you will, if World Vision offered  
23 anything.

24 So I asked Catherine, because I felt  
25 like it was kind of a unique situation, if there

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1 would be any wiggle room or allowance for me to take  
2 off time, whether it be a day or so, to have E[REDACTED]  
3 and all of that. So I did E-mail her asking that.  
4 Because a lot of times, at least like in my  
5 experience, when you're hired they give you like an  
6 employee handbook or just like -- or just tell you  
7 about different benefits and whatnot. So I hadn't  
8 heard about that, so that's why I E-mail Catherine  
9 about that.

10 Q At this time were you still experiencing  
11 the vomiting from the hyperemesis?

12 A Yeah, I believe I was. But like I said,  
13 it wasn't as severe. It was maybe once or twice a  
14 day. I was still nauseous all day, but I was on I  
15 think three or four different medications to help  
16 with that. So at that point it was manageable and I  
17 felt like I had no choice in a sense of I needed to  
18 work, I wanted to work, I needed to feel a sense of  
19 purpose. And so I was willing very much so to make  
20 it work. Which is also what attracted me to the  
21 job, was the fact that it was a work-from-home, like  
22 I mentioned before.

23 Q Did you think you'd be able to fulfill the  
24 requirements in the job description we looked at  
25 regarding hours and timeliness?

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1 A Yeah, for sure. I'm definitely a morning  
2 person, so World Vision's hours and the time change  
3 wasn't going to be an issue. I was willing to make  
4 it work. And Jaclyn, I remember specifically  
5 talking to her about the 9 to -- or the training, I  
6 didn't remember at the time if I mentioned that it  
7 was 9 to 11 weeks, but saying that I had to do  
8 training that was full-time. So she was going to be  
9 on maternity leave. So I asked if we could figure  
10 out a way for her to be E[REDACTED]'s sole provider  
11 during the time I was doing the training. So that  
12 was definitely something that we coordinated and I  
13 felt confident that I would be able to fulfill that  
14 requirement.

15 Q I'm going to upload a document that we can  
16 mark as Exhibit 13 to your deposition.

17 \* \* \*

18 (Whereupon, the above-mentioned  
19 document was marked for  
20 identification as Exhibit-13.)

21 \* \* \*

22 BY MR. WARD:

23 Q These are documents that are numbered from  
24 Plaintiffs production, from your production, P0080  
25 and 0081. Please take a minute and look at these

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1 and let me know when you've had a chance to review  
2 them.

3 A (Witness complies.) Okay.

4 Q Do you recognize this document?

5 A Yes.

6 Q What is it?

7 A That was the E-mail I guess that I sent to  
8 it looks like Catherine Miolla asking about the not  
9 necessarily maternity leave, but if I would be able  
10 to have any time off since I was going to have  
11 [REDACTED] and I did give reference to my wife. And  
12 then we set up a time to talk on the phone. And  
13 then at the last page I guess Catherine Miolla said  
14 that there was a discrepancy in my interview process  
15 so they were trying to resolve the discrepancy and  
16 we're going to rescind the job offer. And then I  
17 had --

18 Q Sorry, please go ahead.

19 A Then I responded and asked if I could, I  
20 guess, reschedule a call and asked what the  
21 discrepancy was.

22 Q So just to summarize this and make sure  
23 that I understand correctly, this looks like an  
24 E-mail thread that begins on Tuesday, January 5th  
25 with your E-mail to Catherine Miolla. It has a

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1 series of exchanges between you and Catherine Miolla  
2 and it concludes with your E-mail on Friday,  
3 January 8th, 2021 at 5:08 p.m.; is that correct?

4 A Yes.

5 Q And is this a true and correct copy of the  
6 E-mails that you and Catherine Miolla exchanged  
7 during that time period?

8 A Yes.

9 Q Are there any E-mails that you're aware of  
10 missing from this thread?

11 A No, not that I'm aware of.

12 Q So to the best of your knowledge, this is  
13 a true and accurate capture of that entire E-mail  
14 correspondence, correct?

15 A That's correct, yeah.

16 Q Great. If I can kind of walk through this  
17 with you, I have a few questions to ask you.

18 A Uh-huh.

19 Q In your first E-mail on January 5th for  
20 the first time you say, My wife and I are expecting  
21 our first baby in March. Was there a reason that  
22 you specifically mentioned your wife in this E-mail?

23 A Not that I can remember. No, there was no  
24 specific reason except that that's just how I refer  
25 to us, as my wife and I. I think if anyone in that

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1 situation would say, my husband and I or my wife and  
2 I or whatever it may be. So it was just I think the  
3 way I typed it out.

4 Q I'm a little bit confused by the idea that  
5 if this was a 9 to 11 week training program, how  
6 were you envisioning that you would get time off  
7 when you needed to go through 9 to 11 weeks of  
8 training?

9 A I don't think at the time that I really  
10 thought about it as a training, training. I think I  
11 more so, like I mentioned, thought of it as a  
12 probationary period of where I would be expected to  
13 work. And it would be training, but more so like I  
14 would kind of be thrown into it, like shadow  
15 somebody or that sort of thing versus kind of like  
16 what it seems like to be like -- almost like a  
17 classroom training, very strict. I thought it was  
18 more like hands-on. This day you'll be shadowing  
19 this person, this day you'll be following -- well,  
20 not following obviously, but, you know, maybe on a  
21 call, if you will, with the manager to see kind of  
22 how he works and handles things or something like  
23 that.

24 So I don't think I thought of it as a  
25 very strict, strict training. I thought of it as

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1 more of the probationary period where I would be an  
2 employee that was just needing a couple days off,  
3 but that also would get right back into working and  
4 continuing to learn about the job and the role and  
5 things like that. So hopefully that makes sense.

6 Q I believe you testified earlier that your  
7 wife, Jaclyn, was taking maternity leave. How long  
8 a leave was Jaclyn taking?

9 A I don't remember the exact amount of time,  
10 but I believe it was six weeks.

11 Q So how long a maternity leave did you  
12 think you would need to take?

13 A I mean I had just kind of assumed -- I  
14 didn't exactly know when [REDACTED] was going to be  
15 born, but I didn't really have an expectation to  
16 give myself a maternity leave. Because this job  
17 position was work from home, I would be able to --  
18 it's not like I had to be well enough to walk into  
19 the office or this, that and the other. From my  
20 understanding I could still sit in our little office  
21 and be able to take care of myself in a sense of not  
22 overexert myself or things like that. I just felt  
23 like it was going to be manageable also with my  
24 experience and I felt like it was going to be not an  
25 easy job, per se, but something that I was very

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1 comfortable with.  
 2 So I didn't have any worries about  
 3 what I thought was like a probationary period or  
 4 anything like that. So in terms of a maternity  
 5 leave, I didn't really expect to have one because I  
 6 think also financially we wouldn't have been able to  
 7 do that. So to me, I was just going to do the best  
 8 I could.

9 Q I'm still a little confused, because you  
 10 knew there was you used the term probationary period  
 11 to describe 9 to 11 weeks. How did you envision  
 12 being able to do well in that period if you were  
 13 taking time off because of an understandable reason,  
 14 a newborn baby?

15 A So I didn't, like I said, I didn't think I  
 16 was going to take much time off. And when I  
 17 E-mailed them asking if I would qualify for any time  
 18 off I thought that -- I guess I thought that maybe  
 19 they would make an exception for if E [REDACTED] was born  
 20 on a Saturday maybe, you know, wait until I got home  
 21 from the hospital and then we can continue training  
 22 that next day. Because I had at least from the  
 23 start -- the job was going to start on February 1st  
 24 and my due date with E [REDACTED] was March 8th, so I  
 25 thought that would be at least over half the

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1 training I guess would have been done. So if  
 2 anything it would be towards the end of the  
 3 probationary period, and so I had hoped that I would  
 4 have built up trust enough and shown that I was  
 5 going to be a good employee enough to where I could  
 6 just have that -- just have some time off. So....

7 Q So the next communication in this E-mail  
 8 thread is Catherine Miolla to you on Tuesday,  
 9 January 25, 2021, so the same day as your E-mail, a  
 10 little bit later. And she asked to talk with you.  
 11 "Do you have time tomorrow afternoon to discuss by  
 12 phone," and it asked if she could call you around  
 13 4:00 p.m. EST. Do you recall getting that E-mail at  
 14 the time?

15 A I don't recall getting it like right at  
 16 that time. Again, I don't remember getting an  
 17 E-mail notification and opening my phone, but I'm  
 18 sure I got that E-mail.

19 Q So there is no further communication in  
 20 this thread until 24 hours later, Wednesday, January  
 21 6, 2021, at 7:14 p.m., so literally a little more  
 22 than 24 hours. And Catherine Miolla E-mails and  
 23 says, "I don't believe I heard back from you." Why  
 24 didn't she hear back from you?

25 A If you look at the next E-mail I

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1 apologized to her and then I referenced -- or said  
 2 that my sister, my triplet sister was getting  
 3 married and I was in the wedding. We also had  
 4 family in town, so I was dealing with that. So I  
 5 was busy with that and I didn't know -- or assumed  
 6 there was any urgency in her needing to talk to me,  
 7 because I had already had the offer letter. So  
 8 that's why I think if I knew that she needed to talk  
 9 to me right away then I would have called or she  
 10 would have called me. So I think mostly just the  
 11 fact that my sister was getting married, so I was  
 12 tied up with that and I didn't think it was anything  
 13 that needed to be answered right away.

14 Q At this point you had received the offer  
 15 letter. You had not communicated back an acceptance  
 16 of it, had you?

17 A I remember I believe I signed it and  
 18 then -- on the Word document and then sent it back  
 19 to Catherine.

20 Q Thank you. So let's go back to Exhibit  
 21 12, if you don't mind. I'm seeing something with  
 22 a -- on the second page it looks like a blank for  
 23 Docu-sign and a date of January 9th, 2021. I'm not  
 24 seeing what you're referring to as having signed the  
 25 offer letter. Since this is the version that your

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1 counsel produced to us in discovery I would think  
 2 this would be the most meaningful one. Are you  
 3 thinking of some other document?

4 A No. But I do remember trying -- when I  
 5 was sending this to Casey I do remember having to go  
 6 look back in my E-mail to see if I had the offer  
 7 letter. And I believe it was a link that you had to  
 8 click on to open the offer letter, which might be  
 9 why it wasn't signed in the one I screen-shotted to  
 10 him. But I don't -- I don't know why I wouldn't  
 11 have signed it. So I may have just not -- I don't  
 12 know if I have a copy of the signed one, because I  
 13 think once you sign it it just like goes away and  
 14 says like, Thank you for signing it and it was sent  
 15 back to Catherine.

16 So I honestly feel like I signed it,  
 17 because it was just a quick little insert thing.  
 18 You can do it either on your phone, write it out, or  
 19 you can choose a font. And I do remember that, but  
 20 I don't -- so I don't know if this was the actual --  
 21 obviously it's not I guess the actual one that I had  
 22 assumed I signed. But I would assume I would have  
 23 signed it as soon as I got it.

24 Q During this time between getting the offer  
 25 letter and it being rescinded on Friday, January 8,



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<p style="text-align: right;">Page 226</p> <p>1 2021 who did you talk with about the offer letter?</p> <p>2 A Before it was rescinded?</p> <p>3 Q Yes.</p> <p>4 A I don't think -- if anything probably</p> <p>5 Jaclyn to tell her I got the job. Also probably my</p> <p>6 family to tell them I got the job and that was</p> <p>7 probably it, unless there were, you know, a couple</p> <p>8 other people that knew I was applying or whatnot.</p> <p>9 But that would be the only thing, just to tell them</p> <p>10 that I got the job.</p> <p>11 Q Let's continue through what happened next.</p> <p>12 So on Wednesday, January 6th at 7:40 p.m. you</p> <p>13 replied saying, Friday at 1:00 p.m. EST -- or,</p> <p>14 sorry. It looks like Catherine replied saying,</p> <p>15 Friday at 1:00 p.m. EST, and no reply from you for</p> <p>16 24 hours until Friday itself. And she followed up</p> <p>17 in saying, "Does 1:00 p.m. work for you? Give me a</p> <p>18 call today." Why did it take another 24 hours for</p> <p>19 you to respond to her?</p> <p>20 A I don't remember, but I'm going to assume</p> <p>21 that it was probably either between my sister's</p> <p>22 wedding or the pregnancy complications. I don't</p> <p>23 remember exactly why it would have taken me that</p> <p>24 long, but I don't think -- kind of like I said, it</p> <p>25 didn't seem to be something she needed to talk to me</p>	<p style="text-align: right;">Page 228</p> <p>1 Q Did you talk on the phone to Catherine</p> <p>2 Miolla at 1:00 p.m. on Friday, January 8, 2021?</p> <p>3 A We didn't talk at that point. I think she</p> <p>4 called me and I wasn't able to answer. I don't</p> <p>5 remember why I wasn't able to answer, but then --</p> <p>6 yeah, so I didn't end up talking with her at 1:00.</p> <p>7 Q Did you get a call from her at 1:00?</p> <p>8 A I believe I did, yeah.</p> <p>9 Q Did you get any additional attempts at</p> <p>10 calls from Catherine Miolla?</p> <p>11 A Not that I can remember. Just the</p> <p>12 follow-up E-mail I believe at 5:00 and then I had</p> <p>13 gotten back to her right away and said that I could</p> <p>14 reschedule the phone call. And then I think she</p> <p>15 called me right around that point. Maybe she knew I</p> <p>16 was by my phone or whatever, so she just I think</p> <p>17 gave me a call. I believe it was right around maybe</p> <p>18 like 5:30 on January 8th.</p> <p>19 Q So what were you doing at 1:00 p.m. on</p> <p>20 Friday, January 8th, 2021?</p> <p>21 A I have no idea. I don't know.</p> <p>22 Q But you had your phone?</p> <p>23 A I'm not sure. I know I did at 11:00 a.m.</p> <p>24 because it says sent from my iPhone. But I'm not</p> <p>25 sure if I had it at that exact time.</p>
<p style="text-align: right;">Page 227</p> <p>1 about urgently, so I felt like it was okay to -- not</p> <p>2 that I was purposely not answering, but I didn't</p> <p>3 think that it was urgent where I had to pick up my</p> <p>4 phone or check my E-mails, that sort of thing. So I</p> <p>5 think I was able to E-mail her whenever I got the</p> <p>6 time, which it always seemed to be in the morning or</p> <p>7 at night that I was able to respond to her, so....</p> <p>8 Q I think earlier in the day you testified</p> <p>9 that you didn't remember exactly when your sister's</p> <p>10 wedding was. I would appreciate if you would</p> <p>11 confirm that information and let us know exactly the</p> <p>12 date on which the wedding occurred. Your counsel</p> <p>13 can provide that to us and that would be helpful.</p> <p>14 MR. WOLNOWSKI: Kindly provide the</p> <p>15 request. It seems it's either in interrogatory</p> <p>16 or perhaps a document request at your</p> <p>17 convenience. Once received we'll take it under</p> <p>18 advisement.</p> <p>19 MR. WARD: Thank you.</p> <p>20 BY MR. WARD:</p> <p>21 Q Miss McMahon, let's keep looking at this</p> <p>22 letter. You said it was great to talk at 1:00 p.m.</p> <p>23 Eastern Time on Friday. And you said that at</p> <p>24 11:00 a.m. on Friday.</p> <p>25 A Uh-hum.</p>	<p style="text-align: right;">Page 229</p> <p>1 Q What's your best recollection about what</p> <p>2 you were doing at 1:00 p.m. on Friday, January 8th,</p> <p>3 2021?</p> <p>4 A I guess probably with the way things were</p> <p>5 going I may have been asleep because of the</p> <p>6 pregnancy complications. Honestly, I could have</p> <p>7 been throwing up. I may have been at a doctor's</p> <p>8 appointment, which I'm happy to look back and see if</p> <p>9 I happened to be at a doctor's appointment at that</p> <p>10 time. But I can do some investigating for you into</p> <p>11 where I was or what I was doing at that time, but I</p> <p>12 don't remember and I don't even know. I barely</p> <p>13 remember my life back that far.</p> <p>14 Q Thank you. So at 5:00 p.m. you get this</p> <p>15 E-mail from Catherine Miolla, 5:00 p.m. on</p> <p>16 January 8th. And in that one she says, "Since I've</p> <p>17 not heard back from you to resolve the discrepancy</p> <p>18 I'm rescinding the job offer that was extended to</p> <p>19 you on January 4th." Do you remember receiving that</p> <p>20 E-mail?</p> <p>21 A Yes.</p> <p>22 Q And you replied very quickly, it looks</p> <p>23 like within eight minutes. Do you remember what you</p> <p>24 were doing when you received that E-mail?</p> <p>25 A I was actually in the bath. And I</p>

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<p style="text-align: right;">Page 230</p> <p>1 generally -- during my pregnancy taking baths was my 2 like comfort. So I always would eat dinner and then 3 get in the bath. So I know I was in the bath most 4 likely on my phone at that point, yeah.</p> <p>5 Q So what happened next in this process 6 after this exchange of E-mails?</p> <p>7 A As far as I remember I was -- I remember 8 opening the E-mail and being shocked, because I was 9 confused why -- like why Catherine was pulling back 10 or rescinding the job offer so quickly, because I 11 had been communicating with her as much as I could, 12 when I could. And then I wasn't sure what 13 discrepancy she was referencing. So I immediately 14 was shocked and so I believe she called me or I may 15 have called her job. I don't remember. But after 16 that E-mail that same night we had talked on the 17 phone.</p> <p>18 Q Do you remember about what time you 19 talked?</p> <p>20 A I don't. But it was pretty immediate, 21 immediately, within an hour I would say. Within an 22 hour after that, because like I said, I was in the 23 bath I believe when I got that E-mail. And our 24 phone call I was -- in the beginning of our phone 25 call I was also in the bath, which is a little</p>	<p style="text-align: right;">Page 232</p> <p>1 as Melony. You didn't mention your wife was part of 2 that call. But I take it she was also part of that 3 call?</p> <p>4 A So when Catherine initially called me it 5 was just Catherine and Melony and I was in the bath. 6 So I started to panic I guess internally, got very 7 anxious and so I got out of the bath and went and 8 sat on the couch next to Jaclyn. And I did have the 9 phone on speaker phone. So I was sitting with 10 Jaclyn and I had the phone on speaker phone. But 11 when you asked that question I thought you meant 12 when the call was made. But, yeah, Jaclyn was on 13 the phone call about like halfway through the 14 phone -- about halfway through the phone call.</p> <p>15 Q Thank you for clarifying. You recorded a 16 short amount of the call it sounds like. Let me 17 rephrase that actually. How much of the call did 18 you record?</p> <p>19 MR. WOLNOWSKI: Objection. Misconstrues 20 prior testimony.</p> <p>21 MR. WARD: I'm happy to rephrase it.</p> <p>22 BY MR. WARD:</p> <p>23 Q You testified that your wife Jaclyn 24 recorded the call. How much of the call did Jaclyn 25 record?</p>
<p style="text-align: right;">Page 231</p> <p>1 weird, but....</p> <p>2 Q So about how long did that phone call 3 last?</p> <p>4 A I believe it was about five minutes, five 5 ten minutes maybe.</p> <p>6 Q So five to ten minutes. Who was in that 7 phone call?</p> <p>8 A I remember answering the phone and it was 9 Catherine and she said that somebody else with HR 10 was on the phone with me, maybe her supervisor or 11 something, but I don't remember exactly who. I did 12 find out later from Casey that it was Melony. But 13 at the time I think she introduced herself real 14 quick and that was it, so....</p> <p>15 Q So did you record a part of that call?</p> <p>16 A Yeah, I did.</p> <p>17 Q Why did you record it?</p> <p>18 A So I did not -- well, okay. So I did not 19 record part of that call, my wife Jaclyn did. 20 Sorry. But part of that phone call on my behalf, if 21 you will, was recorded. It was recorded by my wife, 22 though.</p> <p>23 Q So just to clarify, when I asked who was 24 involved in that call you referred to Catherine 25 Miolla and to someone who has since been identified</p>	<p style="text-align: right;">Page 233</p> <p>1 A So at the time I didn't know but -- and I 2 didn't know that she had recorded it until after the 3 fact. And I believe -- I still don't know how long 4 that recording is. I believe Casey has spoken to me 5 about like 35 seconds or something, 37 seconds. But 6 that was all I knew in terms of how long it was. I 7 found out throughout this process with talking with 8 Casey.</p> <p>9 Q Did you disclose at any point to Catherine 10 Miolla or Melony that part of the call was being 11 recorded?</p> <p>12 A No. Because I didn't even myself know 13 that it was being recorded. And I guess speaking 14 for Jaclyn, she didn't say anything either.</p> <p>15 Q Thank you. That's helpful. So Jaclyn 16 recorded it without your knowledge at the time that 17 she was recording it? Is that what you just 18 testified?</p> <p>19 A Yeah. But so it was like we were sitting 20 on the couch and she was sitting next to me and I 21 did not -- I wanted her to be there more so because 22 I couldn't believe what I was hearing and I was 23 anxious, kind of panicking. So I wanted her for 24 moral support and also to hear what was happening, 25 because I was very shocked. And so I guess she had</p>

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<p style="text-align: right;">Page 234</p> <p>1 started recording. I didn't know at the time she</p> <p>2 was recording until after the phone call ended, in</p> <p>3 which she told me that she did record it. So at the</p> <p>4 time she didn't communicate it with me, but</p> <p>5 afterwards, like after the call ended, she told me</p> <p>6 she did.</p> <p>7 And just with my prior experience</p> <p>8 with my dad, he's a commercial real estate agent, so</p> <p>9 he's done -- he knows a lot of legal stuff, not a</p> <p>10 lot, but I did know that North Carolina was a</p> <p>11 one-person kind of -- I don't know the correct</p> <p>12 terminology, but basically you just needed one</p> <p>13 person to know that you were recording something and</p> <p>14 then that was okay. Because we were in North</p> <p>15 Carolina when the phone call took place.</p> <p>16 Q So did you listen to the recording on that</p> <p>17 same day?</p> <p>18 A Yeah. Yeah, I listened to it right after</p> <p>19 the phone call.</p> <p>20 Q And was any other part of the call</p> <p>21 recorded other than the 35 seconds that you just</p> <p>22 referred to?</p> <p>23 A Not that I'm aware of or have ever been</p> <p>24 aware of, no.</p> <p>25 Q Let me go ahead and upload that recording</p>	<p style="text-align: right;">Page 236</p> <p>1 of part of your phone call with Catherine Miolla and</p> <p>2 Melony on February 8th, 2021?</p> <p>3 A Yes.</p> <p>4 Q Was that the entire length of what was</p> <p>5 recorded or is there any other portion that was also</p> <p>6 recorded?</p> <p>7 A That's the only part that I know that was</p> <p>8 recorded. I don't know of anything else, yeah.</p> <p>9 Q You said that your wife, Jaclyn, recorded</p> <p>10 that. Earlier I asked you questions about who you</p> <p>11 communicated with about World Vision's standards of</p> <p>12 conduct and the possibility of working at World</p> <p>13 Vision. I want to ask that question in a different</p> <p>14 focus now. Who, if anyone, did your wife Jaclyn</p> <p>15 talk to about the possibility of your working for</p> <p>16 World Vision?</p> <p>17 MR. WOLNOWSKI: Object to form. You can</p> <p>18 answer.</p> <p>19 THE WITNESS: I know that she definitely</p> <p>20 talked with her parents. Just like my parents,</p> <p>21 they're actively involved in our lives. That's</p> <p>22 all that I know of. She probably also would</p> <p>23 have talked to my parents and family as well if</p> <p>24 she was in the same room when it came up. But</p> <p>25 in terms of anybody that she would have told,</p>
<p style="text-align: right;">Page 235</p> <p>1 just so we can all listen to the same thing</p> <p>2 together. I believe we are on Exhibit 14. Give me</p> <p>3 one second.</p> <p>4 * * *</p> <p>5 (Whereupon, the above-mentioned</p> <p>6 recording was marked for</p> <p>7 identification as Exhibit-14.)</p> <p>8 * * *</p> <p>9 BY MR. WARD:</p> <p>10 Q I'll represent to you that this is the</p> <p>11 recording that was produced to us by your counsel,</p> <p>12 Mr. Wolnowski. If you would, please listen to that</p> <p>13 35 seconds after it's uploaded.</p> <p>14 A You want me to listen to it?</p> <p>15 Q Yes, please.</p> <p>16 A Is it going to play so everybody else can</p> <p>17 hear it? I don't mind. Can everybody hear that?</p> <p>18 MR. SZYMANSKI: Yes.</p> <p>19 BY MR. WARD:</p> <p>20 Q Yes.</p> <p>21 A Sorry. Can I play it?</p> <p>22 Q Please.</p> <p>23 (Whereupon, a recording was played.)</p> <p>24 BY MR. WARD:</p> <p>25 Q Thank you. Is that an accurate recording</p>	<p style="text-align: right;">Page 237</p> <p>1 it would be her parents if I didn't tell them.</p> <p>2 BY MR. WARD:</p> <p>3 Q My question had been specific to the</p> <p>4 possibility of your working at World Vision. I'm</p> <p>5 going to ask the same question with a different</p> <p>6 focus. Prior to January 9th, 2021 who, if anyone,</p> <p>7 did your wife talk to about the World Vision</p> <p>8 standards of conduct?</p> <p>9 MR. WOLNOWSKI: Object to form. Aubry,</p> <p>10 you can answer.</p> <p>11 THE WITNESS: Nobody that I know of.</p> <p>12 BY MR. WARD:</p> <p>13 Q I'm still a little confused, because</p> <p>14 earlier when I limited my question to up to</p> <p>15 January 5th it evoked a privilege assertion from</p> <p>16 your counsel. And I tried to work around that and</p> <p>17 respect the privilege. I just want to confirm, did</p> <p>18 you have any discussions with any legal counsel</p> <p>19 prior to January 9th, 2021?</p> <p>20 A No -- prior to January 9th, I think maybe</p> <p>21 January 8th after the job offer was rescinded I may</p> <p>22 have done some Googling and may have contacted Casey</p> <p>23 and them. I don't think so, but if it was before</p> <p>24 January 9th it would have been the night of</p> <p>25 January 8th. But that would have been only after</p>

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<p style="text-align: right;">Page 238</p> <p>1 the job offer was rescinded because of them --</p> <p>2 because of the marriage discrepancy was -- did I</p> <p>3 contact anybody for legal help or for any reason</p> <p>4 regarding that.</p> <p>5 Q Thank you. I appreciate you clarifying</p> <p>6 that. Is it fair to say World Vision's policy on</p> <p>7 marriage as a biblical covenant between a man and a</p> <p>8 woman was the sole reason that the offer of</p> <p>9 employment was rescinded?</p> <p>10 A I think that it was rescinded because they</p> <p>11 found out that I was gay and that I was married to a</p> <p>12 woman, which went against their beliefs.</p> <p>13 Q So their beliefs were the reason that the</p> <p>14 offer was rescinded?</p> <p>15 A Yeah.</p> <p>16 Q So walk me through the conversations that</p> <p>17 you had with your wife after that phone call. What</p> <p>18 did you two talk about?</p> <p>19 A I know after that phone call I was very</p> <p>20 upset. I felt defeated, I felt less than. I</p> <p>21 absolutely regretted sending that E-mail that</p> <p>22 referenced my wife, because I felt like if I hadn't</p> <p>23 said "my wife" I would have continued on with the</p> <p>24 job. And I was very frustrated that this great</p> <p>25 opportunity that I was looking forward to got taken</p>	<p style="text-align: right;">Page 240</p> <p>1 MR. WOLNOWSKI: I object on the grounds</p> <p>2 that this request calls for spousal-privileged</p> <p>3 materials and I --</p> <p>4 MR. WARD: Please complete your sentence.</p> <p>5 MR. WOLNOWSKI: Under the circumstances</p> <p>6 I'll direct my client not to answer those</p> <p>7 questions.</p> <p>8 MR. WARD: Counsel, I'd like to make my</p> <p>9 record on the spousal privilege. What is it</p> <p>10 you're asserting is covered by the spousal</p> <p>11 privilege?</p> <p>12 MR. WOLNOWSKI: The communications with</p> <p>13 respect to her wife as it relates to the</p> <p>14 question interposed.</p> <p>15 MR. WARD: What's the foundation for the</p> <p>16 spousal privilege? Are you referring to a</p> <p>17 state law privilege, a common law privilege?</p> <p>18 MR. WOLNOWSKI: I've made my objection.</p> <p>19 MR. WARD: You've also instructed the</p> <p>20 witness not to answer, so I have a right to</p> <p>21 make my record.</p> <p>22 MR. WOLNOWSKI: Aubry, do you understand</p> <p>23 the question?</p> <p>24 THE WITNESS: No.</p> <p>25</p>
<p style="text-align: right;">Page 239</p> <p>1 away from me or rescinded from me because of</p> <p>2 something that I felt like was a really terrible</p> <p>3 reason. So I know that I was definitely upset. I</p> <p>4 definitely was confused.</p> <p>5 Like I've referenced before, Jaclyn</p> <p>6 knows a lot more about biblical things as well as</p> <p>7 about legal things when it comes to the LGBTQ</p> <p>8 community, whether that be marriage laws and things</p> <p>9 like that. So at that point I just wanted to</p> <p>10 understand, because like I mentioned before, World</p> <p>11 Vision stated on their -- they state on the website</p> <p>12 that they're an EEOC employer and I knew the EEOC</p> <p>13 protects LGBTQ rights, if you will, or</p> <p>14 discrimination based off of sex and things like</p> <p>15 that.</p> <p>16 So at first I was really confused and</p> <p>17 I didn't understand why or how they could -- why or</p> <p>18 how World Vision could rescind the job offer,</p> <p>19 because in my eyes it's illegal because it's</p> <p>20 discriminating against me because I'm gay and</p> <p>21 because I was in a same-sex marriage and happened to</p> <p>22 mention it.</p> <p>23 Q So what did you and your wife talk about</p> <p>24 doing next in light of the job offer being</p> <p>25 rescinded?</p>	<p style="text-align: right;">Page 241</p> <p>1 BY MR. WARD:</p> <p>2 Q So my question was simply what did you and</p> <p>3 your wife talk about doing next after the job offer</p> <p>4 was rescinded.</p> <p>5 MR. WOLNOWSKI: You can answer.</p> <p>6 THE WITNESS: At that point we talked</p> <p>7 about seeking legal action, we talked about not</p> <p>8 seeking legal action. However, from my Google</p> <p>9 search, you know, treading lightly, World</p> <p>10 Vision has at least 30,000 employees, I</p> <p>11 believe. Odds are there are other employees</p> <p>12 that are either -- gay in marriages with</p> <p>13 same-sex partners, so I found it very, very,</p> <p>14 very hard to believe that out of 30,000</p> <p>15 employees at least -- and I'm using 30,000 just</p> <p>16 from what I remember. It could be different.</p> <p>17 There could be more or less. But from that</p> <p>18 many people there, in my opinion, is no way</p> <p>19 there is not another employee that is in a</p> <p>20 same-sex relationship.</p> <p>21 And I thought about -- or we thought about</p> <p>22 we were scared to take legal action, because I</p> <p>23 mean we are half the time in fear of being gay</p> <p>24 as it is. But with legal action comes opening</p> <p>25 your lives into something like this. So</p>

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<p style="text-align: right;">Page 242</p> <p>1 anyways, ultimately we wanted to take legal</p> <p>2 action because we felt as advocates, if you</p> <p>3 will, and supporters of the LGBTQ community</p> <p>4 that we would be doing a disfavor, dishonor,</p> <p>5 whatever you want to call it, to the LGBTQ</p> <p>6 community if we did not pursue this.</p> <p>7 And even so much so when World Vision</p> <p>8 offered us a settlement I believe maybe to not</p> <p>9 take -- a settlement to not do something legal,</p> <p>10 I don't know what the settlement was for, but</p> <p>11 when they offered us a settlement we said we</p> <p>12 are not taking it. Because if we take it and</p> <p>13 run with it that's not fair to the other LGBTQ</p> <p>14 community, you know, people who may be in this</p> <p>15 same situation but may not be able to take</p> <p>16 legal action or may not have known that they</p> <p>17 could take legal action or things like that. I</p> <p>18 think for a while we did juggle with whether or</p> <p>19 not we wanted to take legal action and I</p> <p>20 actually found Nisar Law Group off of TikTok.</p> <p>21 It's a social media platform where you post</p> <p>22 videos and such. I had seen Casey's --</p> <p>23 I don't know if, Casey, if he's your boss.</p> <p>24 Do you know who I'm referring to?</p> <p>25 MR. WOLNOWSKI: Ms. McMahon, just try to</p>	<p style="text-align: right;">Page 244</p> <p>1 identification as Exhibit-15.)</p> <p>2 * * *</p> <p>3 BY MR. WARD:</p> <p>4 Q If you would, please take a look at that.</p> <p>5 A (Witness complies.) Uh-hum.</p> <p>6 Q I'm going to represent to you that this is</p> <p>7 a document that we produced to your counsel in</p> <p>8 discovery. You'll see it's got the markings on the</p> <p>9 bottom of the page 000045 and following. This is</p> <p>10 the EEO statement from the World Vision website. Is</p> <p>11 this the EEO statement that you were referring to</p> <p>12 previously?</p> <p>13 A Yeah, I believe so.</p> <p>14 Q Very good. Thank you. Can I draw your</p> <p>15 attention to the very first page on the far left</p> <p>16 where the EEO statement says, Are a Christian. You</p> <p>17 follow Jesus and agree wholeheartedly with our</p> <p>18 statement of faith or the Apostles' Creed. Simply</p> <p>19 put, God's great love is what unites our staff.</p> <p>20 It's the reason for all we do. Did that shape your</p> <p>21 understanding of what the EEO obligations of World</p> <p>22 Vision were?</p> <p>23 A I don't know, but I think so. Because in</p> <p>24 both of those there is no reference to like gay</p> <p>25 marriage, so I felt like as a Christian, if you</p>
<p style="text-align: right;">Page 243</p> <p>1 answer the question to the best of your</p> <p>2 recollection.</p> <p>3 THE WITNESS: Okay. So I found them off</p> <p>4 of TikTok and I knew they did a lot with</p> <p>5 employee/employer discrimination. So I decided</p> <p>6 to contact them and they had wanted to help.</p> <p>7 So from there they made me feel confident and</p> <p>8 like I was doing the right thing, so we decided</p> <p>9 to pursue it.</p> <p>10 BY MR. WARD:</p> <p>11 Q Thank you, Ms. McMahon. I do want to be</p> <p>12 clear. I'm not asking you to tell me anything about</p> <p>13 your conversations with your counsel. That is</p> <p>14 absolutely something that we respect the privilege</p> <p>15 on. So if my question seems like it's asking that,</p> <p>16 it's not and that is an area where your counsel -- I</p> <p>17 support the invocation of privilege. But that's</p> <p>18 helpful. I understand little bit more about what</p> <p>19 you and your wife were thinking.</p> <p>20 You mentioned several times World</p> <p>21 Vision's EEO statement. I'm going to upload and</p> <p>22 mark Exhibit number 15 to your deposition.</p> <p>23 * * *</p> <p>24 (Whereupon, the above-mentioned</p> <p>25 document was marked for</p>	<p style="text-align: right;">Page 245</p> <p>1 will, that I was in alliance with that part as well.</p> <p>2 Q And if I can direct your attention to the</p> <p>3 top of page three, the last page, where they</p> <p>4 actually set forth the Equal Opportunity Employer</p> <p>5 statement, it's very small print, so you'll have to</p> <p>6 probably Zoom in.</p> <p>7 A Yeah.</p> <p>8 Q But do you see the second paragraph of</p> <p>9 that statement?</p> <p>10 A Yeah.</p> <p>11 Q That says, Pursuant to the Civil Rights</p> <p>12 Act of 1964, Section 702 42 U.S.C. 2000e(1)a, World</p> <p>13 Vision has the right to, and does, hire candidates</p> <p>14 who agree with World Vision's statement of faith or</p> <p>15 the Apostles' Creed and conduct themselves in</p> <p>16 accordance with our religious beliefs. Did you see</p> <p>17 that at the time you were looking at the World</p> <p>18 Vision EEO statement?</p> <p>19 A Yes.</p> <p>20 Q So you understood that that was part of</p> <p>21 what World Vision required of its employees?</p> <p>22 A Yeah, I guess.</p> <p>23 Q Thank you. Let me take us back a little</p> <p>24 bit to the timeframe after the rescission. I just</p> <p>25 want to know the date, I don't want to know the</p>

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<p style="text-align: right;">Page 246</p> <p>1 content. At what point -- at what date did you</p> <p>2 first contact anyone about legal representation</p> <p>3 against World Vision?</p> <p>4 A I believe it was probably that same night</p> <p>5 that the job offer was rescinded, which was January</p> <p>6 8th, 2021.</p> <p>7 Q Other than legal counsel who else did you</p> <p>8 talk with about the rescission of the job offer?</p> <p>9 A I talked with Jaclyn that night and then</p> <p>10 beyond that date my family, Jaclyn's family, a</p> <p>11 couple close friends and I think that's it.</p> <p>12 Q I used the word talk. Same question with</p> <p>13 a broader word, just to be sure I'm not</p> <p>14 misunderstanding or being misunderstood. Other than</p> <p>15 legal counsel with whom did you communicate in any</p> <p>16 way about the rescission of the job offer?</p> <p>17 A The people I had previously listed. I did</p> <p>18 also tell the managers of the Queen City Counseling</p> <p>19 job that I was given -- or that I took on in May, I</p> <p>20 did tell them I wasn't aware of how long the legal</p> <p>21 process was, so I did just say, as I wanted them to</p> <p>22 know, that I was currently in a lawsuit for a job</p> <p>23 position that was rescinded from me when they found</p> <p>24 out I was gay.</p> <p>25 I only told my current employer when</p>	<p style="text-align: right;">Page 248</p> <p>1 or heard throughout the years that in legal matters</p> <p>2 you're supposed to stay quiet, if you will, and not</p> <p>3 talk about it, post about it unless it's with close</p> <p>4 people that you trust. So that would be the only</p> <p>5 thing, would be just asking for any lawyer</p> <p>6 recommendations or just like a job situation or the</p> <p>7 fact that I got a job offer rescinded or fired or</p> <p>8 whatnot because the employer found out that I was</p> <p>9 gay.</p> <p>10 Q If I told you that your Facebook page had</p> <p>11 more than 100 comments and --100 responses and 80</p> <p>12 comments to a post about the rescission of your job</p> <p>13 offer by World Vision, would that surprise you or</p> <p>14 would that refresh your recollection?</p> <p>15 A I don't remember that, honestly. Do you</p> <p>16 have it?</p> <p>17 Q At any point did you remove a posting from</p> <p>18 Facebook about this?</p> <p>19 A Not that I'm aware of.</p> <p>20 Q Interesting.</p> <p>21 MR. WOLNOWSKI: Is that a question?</p> <p>22 MR. WARD: Interesting is not a question.</p> <p>23 Did you at any point remove anything is a</p> <p>24 question.</p> <p>25 MR. WOLNOWSKI: I believe Ms. McMahon is</p>
<p style="text-align: right;">Page 247</p> <p>1 I found out that the deposition was coming. I just</p> <p>2 said that I needed time off to do a deposition for a</p> <p>3 lawsuit that I was in. I didn't say really what it</p> <p>4 was about, but those were the only ones -- or other</p> <p>5 people I believe I've had communication with beyond</p> <p>6 family members, some friends and employers.</p> <p>7 Q Did your wife, Jaclyn, have any</p> <p>8 communication beyond what you've just identified for</p> <p>9 yourself about the same subject matter?</p> <p>10 MR. WOLNOWSKI: Object to form.</p> <p>11 Ms. McMahon, you can answer.</p> <p>12 THE WITNESS: Not that I'm aware of.</p> <p>13 BY MR. WARD:</p> <p>14 Q Did you post anything to social media</p> <p>15 related to the rescission of the job offer of World</p> <p>16 Vision?</p> <p>17 A Not that I'm aware of.</p> <p>18 Q If I told you you posted to Facebook</p> <p>19 following the rescission of the job offer, would</p> <p>20 that refresh your recollection?</p> <p>21 A The only thing I would have remembered</p> <p>22 posting would be in that CALM group where I asked</p> <p>23 for -- if anybody had like legal, a legal person I</p> <p>24 could talk with. But I don't feel like I used World</p> <p>25 Vision's name or anything, because I had been taught</p>	<p style="text-align: right;">Page 249</p> <p>1 here to answer questions, not to listen to your</p> <p>2 opinions on whether she did or didn't do</p> <p>3 something.</p> <p>4 MR. WARD: I'll continue asking questions,</p> <p>5 Counsel.</p> <p>6 BY MR. WARD:</p> <p>7 Q So just to be clear, you have no</p> <p>8 recollection of posting anything to Facebook other</p> <p>9 than possibly something in the -- was it the CALM</p> <p>10 Facebook page?</p> <p>11 A Yeah, the CALM Facebook page. And I do</p> <p>12 remember posting that, but I don't remember anything</p> <p>13 beyond that. I do remember Casey advised me not to</p> <p>14 post anything.</p> <p>15 MR. WOLNOWSKI: Objection. Please answer</p> <p>16 his question. What we discuss is privileged by</p> <p>17 attorney/client privilege.</p> <p>18 THE WITNESS: Okay. So there may have</p> <p>19 been a time I went back and deleted that post,</p> <p>20 but I don't remember.</p> <p>21 BY MR. WARD:</p> <p>22 Q Would you have retained a copy of that</p> <p>23 post in some form?</p> <p>24 A No.</p> <p>25 Q Would the CALM group be able to obtain it?</p>



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<p style="text-align: right;">Page 250</p> <p>1 MR. WOLNOWSKI: Object to form. You can</p> <p>2 answer.</p> <p>3 THE WITNESS: I could ask.</p> <p>4 BY MR. WARD:</p> <p>5 Q That would be great. Thank you.</p> <p>6 MR. WARD: Counsel, we'll probably serve a</p> <p>7 follow-up discovery request on that front.</p> <p>8 MR. WOLNOWSKI: Sounds like a subpoena</p> <p>9 would be a better thing to serve, but I'll take</p> <p>10 it under advisement.</p> <p>11 BY MR. WARD:</p> <p>12 Q Miss McMahon, do you remember any other</p> <p>13 communications about this lawsuit -- pardon me, let</p> <p>14 me rephrase that. Do you recall any other</p> <p>15 communications about the rescission of your job</p> <p>16 offer by World Vision beyond what you just testified</p> <p>17 to?</p> <p>18 A No.</p> <p>19 Q Let me ask you few more questions, if I</p> <p>20 may. I did want to explore a little bit the impacts</p> <p>21 on your health and wellbeing following the</p> <p>22 rescission of the job offer. Can you tell me --</p> <p>23 you've alleged damages for both physical injury and</p> <p>24 other injuries. Can you please tell me, what's the</p> <p>25 basis for those claims of damages?</p>	<p style="text-align: right;">Page 252</p> <p>1 offer by World Vision?</p> <p>2 A No.</p> <p>3 Q Have you had to obtain any sort of</p> <p>4 treatment for any harm related to the rescission of</p> <p>5 your job offer by World Vision?</p> <p>6 A No.</p> <p>7 Q And when you refer to the emotional</p> <p>8 impact, has that manifested in any financial expense</p> <p>9 to you?</p> <p>10 A I mean definitely taking on -- having to</p> <p>11 take off time for work to do these things, legal</p> <p>12 things, if you will. Beyond that, not that I can</p> <p>13 think of. I mean except for, you know, therapy.</p> <p>14 But, yeah.</p> <p>15 Q If I may ask, what is the rate you pay for</p> <p>16 the therapy sessions, just so I know that number,</p> <p>17 please?</p> <p>18 A I do have health insurance, but I know</p> <p>19 that my therapist rate I believe is \$150 an hour.</p> <p>20 Q Did I understand correctly you don't pay</p> <p>21 that out of pocket because it's covered by your</p> <p>22 health insurance; is that right?</p> <p>23 A Right.</p> <p>24 Q Can you identify for me any medications</p> <p>25 that you've been prescribed related to the</p>
<p style="text-align: right;">Page 251</p> <p>1 A I'm not sure what you mean by basis, but I</p> <p>2 think emotional damages for sure. Even during this</p> <p>3 deposition you can obviously tell that it still</p> <p>4 affects me to this day. So definitely emotional</p> <p>5 damages.</p> <p>6 Q When you say emotional damages, I</p> <p>7 understand emotional distress. Can you tell me, has</p> <p>8 that somehow converted into a physical injury of any</p> <p>9 sort?</p> <p>10 A No.</p> <p>11 Q Have you seen any medical professionals</p> <p>12 for any harm that you think you've suffered as a</p> <p>13 result of the rescission of the job offer by World</p> <p>14 Vision?</p> <p>15 A Physical harm? No. Emotional harm, I've</p> <p>16 been consistently in therapy for the past seven</p> <p>17 years, so it's definitely something that has come up</p> <p>18 with my therapist.</p> <p>19 Q So you've discussed it with a therapist</p> <p>20 you were already seeing for other reasons; is that</p> <p>21 right?</p> <p>22 A Yeah.</p> <p>23 Q Have you seen any psychological or mental</p> <p>24 health professionals beyond your existing therapist</p> <p>25 for any harm related to the rescission of your job</p>	<p style="text-align: right;">Page 253</p> <p>1 rescission of your job offer by World Vision?</p> <p>2 A Un-un. No. Yeah, there is none.</p> <p>3 Q And have you had any lost wages as a</p> <p>4 result of the rescission of your job offer by World</p> <p>5 Vision?</p> <p>6 A I mean I would say up until, if this</p> <p>7 counts, from the time the job offer was rescinded or</p> <p>8 supposed to start to the time that I was able to get</p> <p>9 another job. I don't know if that counts.</p> <p>10 Q Forgive me, I think you testified to this</p> <p>11 earlier, but what was the date that you got another</p> <p>12 job?</p> <p>13 A I don't remember the exact date, but it</p> <p>14 was in May of 2021. But I could get you that date</p> <p>15 if you need it.</p> <p>16 Q Thank you. At the outside you would be</p> <p>17 claiming, at most, lost wages related to January</p> <p>18 8th, 2021 to some point in May 2021; is that</p> <p>19 correct?</p> <p>20 A Yeah.</p> <p>21 Q Did you receive any unemployment</p> <p>22 compensation during that period between January 8th,</p> <p>23 2021 and May of 2021?</p> <p>24 A I did, whatever was shown on the Exhibit.</p> <p>25 However, if I would have been employed by World</p>

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1 Vision I would have no longer qualified for those  
2 benefits. So they would have stopped immediately as  
3 I started the World Vision position.

4 Q On that unemployment compensation, if you  
5 don't mind, let's all quickly look back. I believe  
6 it was Exhibit 7. It looks to me like that stopped  
7 as of March 13th, 2021. What was the reason that  
8 that stopped?

9 A It was the COVID benefit, I believe, was  
10 when that was cut off.

11 Q Thank you, yes. I appreciate that. I had  
12 forgotten that. Is it fair to say that the only  
13 compensatory damages of any form that you're  
14 claiming are the lost wages you think you would have  
15 earned from the rescission of the job offer on  
16 January 8th, 2021 until you obtained new employment  
17 in May of 2021?

18 MR. WOLNOWSKI: Object to form. You can  
19 answer.

20 THE WITNESS: I don't know what  
21 compensatory means.

22 BY MR. WARD:

23 Q Understood. Compensatory usually refers  
24 to compensation for the injury that you've suffered.  
25 Let me put it in a different phrase. Is it fair to

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1 based off of this year. So I'm always -- I can  
2 look back and see what I was paying for my  
3 therapist at the time between, either like a  
4 copay or deductible or whatever. I can, you  
5 know, look back if that's something you guys  
6 need as well.

7 BY MR. WARD:

8 Q Thank you. One more question and I hate  
9 to bring back painful memory, but you testified  
10 earlier that the delivery with E [REDACTED] was -- I  
11 believe your word was terrible. And based on what  
12 you described that sounds like a good description.  
13 Was there a time when you were unable to work  
14 because of the terrible experience that you had and  
15 the damage that that inflicted on you?

16 A You know, like you said, it was terrible  
17 as an emotional situation. However, physically I  
18 was still able to walk around as best I could, go to  
19 the grocery store, care for E [REDACTED], but just with a  
20 catheter. So it didn't stop me from being able to  
21 live day-to-day life, if you will, thankfully. It  
22 just took me longer than I had anticipated to  
23 physically recover. But like I said, I was fine to  
24 take care of E [REDACTED] and do day-to-day duties, if  
25 you will.

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1 say that the sum total of any lost economic benefit,  
2 medical expense, mental health expense or similar  
3 wellbeing expense is limited to the compensation you  
4 would have received from World Vision between the  
5 rescission of the job offer on January 8th, 2021 and  
6 your obtaining new employment in May 2021?

7 MR. WOLNOWSKI: Object to form.

8 THE WITNESS: I mean I personally don't  
9 feel that way. I think that emotionally it  
10 definitely took an impact. And I feel like I  
11 am in therapy longer than I would like to be  
12 and more than I would like to be because of it,  
13 because it's taken away from other important  
14 things I'm in therapy for. So, yeah, that's in  
15 my opinion. I don't know if that's allowed,  
16 but, yeah.

17 BY MR. WARD:

18 Q So is it fair to say, then, that whatever  
19 that additional damage is, it would essentially be  
20 the cost of the additional therapy that you've been  
21 receiving from your regular mental health counselor?

22 MR. WOLNOWSKI: Object to form.

23 THE WITNESS: Yes. And just speaking in  
24 terms of payment as of right now, the rate that  
25 I told you in terms of insurance and such is

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1 Q Thank you. That's helpful. Let me ask  
2 another question or two, then it might be time for  
3 us to take a brief break and move towards wrapping  
4 thing up. I just want to be very clear on this.  
5 The first point at which you engaged any sort of  
6 legal counsel related to this matter would have been  
7 January 8th, 2021 at the earliest; is that right?

8 A Yes, after the job offer was rescinded.

9 Q Okay. Thank you.

10 MR. WARD: Why don't we take a five-minute  
11 break and come back on and I'm hopeful that we  
12 are just about done here.

13 \* \* \*

14 (Whereupon, a brief recess was taken.)

15 \* \* \*

16 BY MR. WARD:

17 Q Ms. McMahon, I think I've covered what I  
18 need to cover and I'd love to let you go before we  
19 hit the time limit. If I may just ask one more  
20 question, why do you want to sue World Vision?

21 A I touched on it a little bit before, but I  
22 want to sue World Vision because I feel like I was  
23 discriminated against based off of being in a  
24 same-sex relationship or being gay or married or,  
25 you know, in a same-sex marriage because -- yeah, I

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<div>Page 258</div> <div><p>1 felt or feel discriminated against. And I really</p><p>2 would have loved to work in that position and I feel</p><p>3 like I really would have obviously, based off of how</p><p>4 just being offered the job, I felt like I would have</p><p>5 been a great employee. And even talking about</p><p>6 probationary periods, at the job I'm at now, after</p><p>7 their probationary period I was promoted. So I</p><p>8 think that I would have hopefully done the same and</p><p>9 exceeded World Vision's expectations.</p><p>10 But in terms of deciding to sue them,</p><p>11 it was because I felt discriminated against. And</p><p>12 also, like I mentioned, we juggled with it, but I</p><p>13 felt I would be doing a disservice to any other</p><p>14 LGBTQ community members, if you will, that were</p><p>15 either employed already by World Vision and have to</p><p>16 keep their marriage a secret because they're in a</p><p>17 same-sex marriage or because they're gay. So for</p><p>18 those people, but also from other people that are</p><p>19 scared to stand up for themselves and seek -- or</p><p>20 just say, Hey, this isn't fair. This is illegal.</p><p>21 And I feel like I deserve better and so does</p><p>22 everybody else.</p><p>23 So main thing -- main two points, I</p><p>24 guess, was because I was discriminated against based</p><p>25 off of my sexual orientation, you know, being</p></div>	<div>Page 260</div> <div><p>1 World Vision has 30,000 employees and, you know,</p><p>2 they have moved on in that sense without me and I</p><p>3 have moved on without them, so I don't feel bad at</p><p>4 all. And I have other ways that, myself personally,</p><p>5 I'm doing my own good for the world. So what World</p><p>6 Vision chooses -- or is losing because of me is not,</p><p>7 you know, in my realm of worry.</p><p>8 MR. WARD: Ms. McMahon, thank you for all</p><p>9 of your time today. I appreciated the chance</p><p>10 to speak with you. Thank you very much. I'm</p><p>11 all done.</p><p>12 THE COURT REPORTER: Would you both like a</p><p>13 copy of the transcript?</p><p>14 MR. WOLNOWSKI: Mr. Ward, will you be</p><p>15 providing us a copy?</p><p>16 MR. WARD: Yes, we'll provide a copy to</p><p>17 Casey.</p><p>18 * * *</p><p>19 (Witness excused.)</p><p>20 * * *</p><p>21 (Whereupon, the Zoom deposition concluded</p><p>22 at 5:50 p.m. EST)</p><p>23 * * *</p><p>24</p><p>25</p></div>																																																
<div>Page 259</div> <div><p>1 married to another woman and also because, as I've</p><p>2 mentioned, my wife and I are huge advocates for</p><p>3 different causes, one being the LGBTQ community and,</p><p>4 you know, advocating for them and standing up for</p><p>5 them is something that I feel I'm doing by taking</p><p>6 this action.</p><p>7 Q Thank you. I realize I said one more</p><p>8 question. That's not entirely right, but I'll be</p><p>9 quick. I assume you did see the settlement letter</p><p>10 that World Vision sent back over a year ago and were</p><p>11 able to consider that?</p><p>12 A Yeah, uh-huh.</p><p>13 Q Does it change your perspective at all to</p><p>14 think about the funds that are the being spent for</p><p>15 this lawsuit are funds that are not going to the</p><p>16 work that World Vision does in caring for children</p><p>17 and protecting women in situations where they are</p><p>18 being disempowered?</p><p>19 A No, I don't feel bad at all. I feel that</p><p>20 was World Vision's choice. Although I chose to take</p><p>21 legal action, it was their choice to rescind the</p><p>22 offer knowing that it was illegal. So I really</p><p>23 don't feel bad. I feel like, you know, whatever</p><p>24 happens, happens with this lawsuit. But I feel like</p><p>25 good things could come from it, so I'm hopeful. And</p></div>	<div>Page 261</div> <div><p>1 I N D E X</p><p>2 * * *</p><p>3 WITNESS: Aubry McMahon</p><p>4 QUESTIONED BY: PAGE</p><p>5 Mr. Ward 4</p><p>6</p><p>7</p><p>8 E X H I B I T S</p><p>9 * * *</p><table><tr><th>NUMBER</th><th>DESCRIPTION</th><th>MK'D.</th></tr><tr><td>11 Exhibit-1</td><td>Notice Of Deposition</td><td>9</td></tr><tr><td>12 Exhibit-2</td><td>Bonfire Printout</td><td>71</td></tr><tr><td>13 Exhibit-3</td><td>CALM printout</td><td>73</td></tr><tr><td>Exhibit-4</td><td>Bonfire Printout</td><td>76</td></tr><tr><td>14 Exhibit-5</td><td>Bonfire Printout</td><td>80</td></tr><tr><td>Exhibit-6</td><td>Resume</td><td>120</td></tr><tr><td>15 Exhibit-7</td><td>Employee Benefits</td><td>127</td></tr><tr><td>Exhibit-8</td><td>Job Posting</td><td>147</td></tr><tr><td>16 Exhibit-9</td><td>Confirmation E-mail</td><td>188</td></tr><tr><td>Exhibit-10</td><td>E-Mail Thread</td><td>188</td></tr><tr><td>17 Exhibit-11</td><td>E-mail</td><td>205</td></tr><tr><td>Exhibit-12</td><td>Job Offer Letter</td><td>211</td></tr><tr><td>18 Exhibit-13</td><td>E-mail</td><td>217</td></tr><tr><td>Exhibit-14</td><td>Recording</td><td>235</td></tr><tr><td>19 Exhibit-15</td><td>EEO Statement</td><td>243</td></tr></table><p>20</p><p>21</p><p>22</p><p>23</p><p>24</p><p>25</p></div>	NUMBER	DESCRIPTION	MK'D.	11 Exhibit-1	Notice Of Deposition	9	12 Exhibit-2	Bonfire Printout	71	13 Exhibit-3	CALM printout	73	Exhibit-4	Bonfire Printout	76	14 Exhibit-5	Bonfire Printout	80	Exhibit-6	Resume	120	15 Exhibit-7	Employee Benefits	127	Exhibit-8	Job Posting	147	16 Exhibit-9	Confirmation E-mail	188	Exhibit-10	E-Mail Thread	188	17 Exhibit-11	E-mail	205	Exhibit-12	Job Offer Letter	211	18 Exhibit-13	E-mail	217	Exhibit-14	Recording	235	19 Exhibit-15	EEO Statement	243
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I, Karen A. Stevens, a Court Reporter  
and Notary Public, do hereby certify the  
foregoing to be a true and accurate transcript  
of the proceedings in this matter, as  
transcribed from the stenographic notes taken  
by me.

Karen Stevens

Karen A. Stevens  
Court Reporter  
Notary Public  
2/28/23

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1 Errata Sheet

3 NAME OF CASE: AUBRY MCMAHON, -against- WORLD VISION, INC.,

4     DATE OF DEPOSITION: 02/24/2023

5 NAME OF WITNESS: Aubry McMahon

6 Reason Codes:

1. To clarify the record.
2. To conform to the facts.
3. To correct transcription errors.

10 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

11 From \_\_\_\_\_ to \_\_\_\_\_

12 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

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